

stated in this caption, that such person shall be guilty of a felony, and shall be punished as above stated; declaring that any person who shall knowingly, publicly or privately, mutilate, deface, defile, defy, tramp upon, or cast contempt, either by words or acts, upon any flag, standard, color, or ensign of the United States of America, or the uniform of any of its officers of the army, or either of them, shall be guilty of a felony, and punished as just stated; declaring that any person who, during the war between the United States and any other nation, shall knowingly display, or have in his possession for any purpose whatsoever, any flag, standard, color, or ensign, or coat of arms, of any nation with which the United States is at war, or any imitation thereof, or that of any state, subdivision, city, or municipality of any such nation, shall be guilty of a felony, and punished by confinement in the penitentiary for the length of time first stated in this caption; authorizing any officer to arrest, without warrant, anyone violating any section of this act; prescribing the force and measures which may be adopted in such cases; declaring that any officer about to make such arrest shall have authority to require any person violating the provisions of this act to desist from such violation, and authorizing the use of such force and measures as are necessary to cause such person to so desist; fixing venue and jurisdiction for violations of this act in the district courts of the counties in which such violations occur and in the district court of Travis county, Texas; provided that the suspended sentence law of this State shall not apply in convictions had under this act; making it the duty of any person knowing of a violation of this act to report same to some officer authorized to make arrests, and making it the duty of such officer making arrest to carry the offender before some officer authorized to investigate such charges, and to make such orders and to enter such judgments as the law directs; and declaring an emergency."

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:41 o'clock p. m., presented same to the Governor for his approval.

McCOY, Chairman.

ELEVENTH DAY.

(Monday, March 11, 1918.)

The House met at 9:30 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Bass.	Metcalf.
Beard.	Miller of Austin.
Beasley.	Moore.
Bennette.	Morris.
Bertram.	Murphy.
Blackburn.	Murrell.
Blackmon.	Nordhaus.
Bryan.	O'Banion.
Burton of Rusk.	O'Brien.
Butler.	Osborne.
Cadenhead.	Parks.
Canales.	Peyton.
Carlock.	Raiden.
Clark.	Reeves.
Cope.	Richards.
Cox of Bee.	Robertson.
Cox of Ellis.	Rogers.
Crudgington.	Sackett.
Davis of Dallas.	Sallas.
Davis of Harris.	Sentell.
Davis	Schlesinger.
of Van Zandt.	Sholars.
De Bogory.	Smith of Hopkins.
Dodd.	Spencer.
Dudley.	Spradley.
Dunnam.	Sneed.
Estes.	Stephens.
Fly.	Stewart.
Ford.	Swope.
Haidusek.	Taylor.
Hardey.	Templeton.
Harris.	Terrell.
Henderson.	Thomason
Hill.	of El Paso.
Holland.	Thomason
Holaday.	of Nacogdoches.
Hudspeth.	Thompson
Johnson of Ellis.	of Hunt.
Laas.	Tillotson.
Lacey.	Tilson.
Laney.	Traylor.
Lanier.	Upchurch.
Lee.	Veatch.
McComb.	Walker.
McCord.	White.
McCoy.	Williams
McDowra.	of McLennan.
McFarland.	Williford.
McMillin.	Wilson.
Mathis.	Woods.
Meador.	Yantis.
Mendell.	

Absent.

Atlee.	Lange.
Bagby.	Lindemann.
Beason.	Pillow.
Bell.	Pope.
Bland.	Smith of Bastrop.
Bledsoe.	Strayhorn.
Brown.	Thomas.
Burton of Tarrant.	Tinner.
Denton.	Valentine.
Fairchild.	Wahrmund.
Greenwood.	Williams
Jones.	of Brazoria.

Absent—Excused.

Baker.	Neill.
Bedell.	Poage.
Cates.	Roemer.
Davis of Grimes.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Scurry.
Lackey.	Thompson
Lowe.	of Red River.
Miller of Dallas.	Vaughan.
Monday.	

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Schlesinger and Mr. Monday for today, on motion of Mr. Spradley.

Mr. Seawright for today, on motion of Mr. De Bogory.

Mr. Lackey for today and tomorrow, on motion of Mr. Miller of Austin.

Mr. Vaughan for last Friday and Saturday and for today and tomorrow, on motion of Mr. Thompson of Hunt.

Mr. Neill, indefinitely, on motion of Mr. Fly.

Mr. Davis of Grimes and Mr. Poage for today, on motion of Mr. Bennette.

Mr. Cates for today, on motion of Mr. Swope.

Mr. Schlosshan for today, on motion of Mr. Lee.

Mr. Miller of Dallas for today and tomorrow, on motion of Mr. Parks.

Mr. Roemer for today, on motion of Mr. Lanier.

The following members were excused on account of sickness:

Mr. Johnson of Gillespie for today, on motion of Mr. Spradley.

Mr. Bedell indefinitely, on motion of Mr. Lee.

Mr. Smith of Scurry for today and tomorrow, on motion of Mr. Bryan.

RELATING TO SENATOR LA FOLLETTE.

Mr. Laney offered the following resolution:

Whereas, The disturbing element in the United States Senate has had for its champion the Senator from Wisconsin, Robert M. La Follette; and

Whereas, The Legislature of Wisconsin by a vote of 53 to 32 in the House of Representatives censured the action of the Senator from that State toward war policies of the President; therefore, be it

Resolved, That the House of Representatives of Texas extend its congratulations to the Wisconsin Legislature upon its good work, that a copy of this resolution be sent to the Wisconsin Legislature.

Signed—Laney, Crudginton, Smith of Scurry, Bledsoe, Fly.

The resolution was read second time and was adopted.

INVITING HON. JOHN W. WOODS TO ADDRESS THE HOUSE.

Mr. Tillotson offered the following resolution:

Whereas, Hon. John W. Woods, Speaker of the House of the Thirty-fourth Legislature, is within the bar of the House, be it

Resolved, That he be invited to address the House.

Signed—Tillotson, McFarland, Bryan, Beard.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of Mr. Beard, Mr. De Bogory and Mr. McFarland to escort Mr. Woods to the Speaker's stand.

The committee having performed their duty, Judge Woods being introduced by the Speaker, addressed the House.

RELATING TO REMARKS OF HON. OTTO WAHRMUND.

Mr. Thompson of Hunt offered the following resolution:

Whereas, This House, on Monday, March 4th, ordered the printing of a statement in writing in the House Journal of said day presented by the gentleman of Bexar, Hon. Otto Wahrmund, which statement is set out on page 109 of said Journal; and

Whereas, There are certain charges in said statement against and reflections

upon the character of the Christian ministry generally, and especially upon the character of Dr. A. J. Barton, Superintendent of the Anti-Saloon League of Texas, who is a distinguished and honorable minister of the gospel, and a most reputable citizen of our State; and

Whereas, The said charges are of a serious nature, and are directed against one of the most honorable, progressive and patriotic classes of our fellow citizens who are not permitted to make their defense before this House in reply to the charges so made; and

Whereas, In so passing the said order to print in the Journal the members of this House did not intend to express approval of the said statement, or their belief of the charges therein contained, or of any part thereof, but intended only to extend a privilege usually accorded the members of this House; therefore, be it

Resolved, That in passing the said order to print this House thereby intended only to permit the exercise of a privilege to the said member from Bexar which it is customary to allow the members of this body, and such act was in no sense designed to express any opinion on the part of the members of this House as to the truth of the charges contained in the said statement, or of the justice or propriety of printing the same in the Journal of this House.

Resolved, That we hereby express our high regard for the members of the Christian ministry as a class, including Dr. A. J. Barton, and our esteem for them as being among the most honorable, useful and patriotic citizens of our country, and as such entitled to the respect and confidence of every intelligent and patriotic citizen.

The resolution was read second time.

Mr. Canales moved to postpone further consideration of the resolution until tomorrow.

On motion of Mr. Thompson of Hunt, the motion to postpone was tabled.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—56.

Beard.	Burton of Rusk.
Bennette.	Butler.
Bertram.	Cadenhead.
Blackburn.	Clark.
Blackmon.	Cope.
Bryan.	Cox of Bee.

Crudgington.
Davis of Dallas.
Davis of Grimes.
Davis
of Van Zandt.
De Bogory.
Dodd.
Dudley.
Estes.
Fly.
Henderson.
Holaday.
Lacey.
Laney.
Lee.
McComb.
McCord.
McCoy.
McDowra.
McMillin.
Meador.
Murrell.
O'Banion.
Osborne.

Peyton.
Raiden.
Reeves.
Rogers.
Sackett.
Sentell.
Spencer.
Spradley.
Sneed.
Stewart.
Terrell.
Thomason
of El Paso.
Thomason
of Nacogdoches.
Thompson
of Hunt.
Tilson.
Traylor.
Veatch.
Williford.
Wilson.
Woods.
Yantis.

Nays—29.

Canales.
Cox of Ellis.
Dunnam.
Haidusek.
Hardey.
Harris.
Hill.
Holland.
Hudspeth.
Laas.
Lanier.
McFarland.
Mathis.
Mendell.
Moore.

Morris.
Nordhaus.
O'Brien.
Parks.
Sallas.
Sholars.
Smith of Hopkins.
Swope.
Taylor.
Templeton.
Upchurch.
Walker.
White.
Williams
of McLennan.

Present—Not Voting.

Mr. Speaker.
Bass.
Beasley.
Carlock.
Ford.

Johnson of Ellis.
Miller of Austin.
Murphy.
Robertson.
Stephens.

Absent.

Atlee.
Bagby.
Beason.
Bell.
Bland.
Bledsoe.
Brown.
Burton of Tarrant.
Denton.
Fairchild.
Greenwood.
Jones.
Lange.

Lindemann.
Metcalf.
Pillow.
Pope.
Richards.
Strayhorn.
Thomas.
Tillotson.
Tinner.
Valentine.
Williams
of Brazoria.

Absent—Excused.

Baker.	Poage.
Bedell.	Roemer.
Cates.	Schlesinger.
Davis of Harris.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Bastrop.
Lackey.	Smith of Scurry.
Lowe.	Thompson
Miller of Dallas.	of Red River.
Monday.	Vaughan.
Neill.	Wahrmund.

Reason for Vote.

I vote "yea" on the passage of this resolution because the remarks of Col. Wahrmund should never have been printed in the Journal and did not reflect the true sentiments of the House, and I opposed printing them in the Journal at that time, and warned the members of the effect the printing of such statement would have.

I favored extending the courtesy of permitting the reading of the remarks, which is due to any member, but allowing such remarks to be printed in the Journal and go out as the expression of this House is carrying the rule of courtesy too far, and I could not endorse it.

TERRELL.

Mr. Cope moved a call of the House for the purpose of maintaining a quorum until 11 o'clock a. m. today, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Thompson of Hunt moved to reconsider the vote by which the resolution was adopted and table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 8, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 31, A bill to be entitled "An Act to establish Common School District No. 19 in Dickens county,

Texas, etc., and declaring an emergency."

S. B. No. 20, A bill to be entitled "An Act to provide for the teaching of lessons in patriotism in the public schools of the State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto."

H. B. No. 34, A bill to be entitled "An Act to amend Chapter 4 of the Laws of the Regular Session of the Thirty-third Legislature, so as to change the time of holding district court in the various counties of the Seventy-second Judicial District of Texas; declaring what counties shall compose same; attaching the unorganized counties of Hockley and Cochran to the county of Lubbock for judicial and all other purposes, making process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court as herein fixed, and from all grand and petit juries drawn to be returnable to the corresponding weeks of the terms as herein defined, and declaring an emergency."

S. C. R. No. 7, Instructing Sergeant-at-Arms of Senate and House to deliver waste paper to Austin chapter of Red Cross Society.

The Senate grants the request of the House for a Free Conference Committee on House bill No. 9. The following have been elected on the part of the Senate:

Senators Lattimore, Dean, Bee, Buchanan of Bell, Henderson.

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

SENATE BILL ON FIRST READING.

Senate bill No. 20 was laid before the House, read first time and referred to Committee on Education.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 13, "An Act to prohibit the purchase or procuring for, or the sale, gift or delivery to, any person engaged or enlisted in the military or naval forces of the United States, of any spirituous, vin-

ous or malt liquors, or medicated bitters capable of producing intoxication; prescribing a penalty for the violation of this act, and declaring an emergency."

H. B. No. 18, "An Act authorizing counties, acting through their commissioners courts, to purchase seed to be planted on farms in such counties by residents thereof who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, by which such seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds of such counties will have the same when the taxes for the year 1918 are collected; conferring certain powers and prescribing certain duties relative to the administration of this act on the commissioners courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this act may obtain seed and feed hereunder, and providing for the payment therefor by such person; conferring certain powers and authority upon the county tax collectors and county attorneys relative to the administration of this act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed, and the distribution of same hereunder, and the terms and conditions thereof; prescribing certain duties for the Commissioner of Agriculture, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas relative to the administration of this act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this act, and providing punishment therefor; stating when operation may be commenced under this act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this act in the sum of two million dollars, and declaring an emergency."

H. B. 31, "An Act to establish Common School District No. 19 in Dickens county, Texas, etc., and declaring an emergency."

H. B. No. 34, "An Act to amend Chap-

ter 4 of the Laws of the Regular Session of the Thirty-third Legislature, so as to change the time of holding district court in the various counties of the Seventy-second Judicial District of Texas; declaring what counties shall compose same; attaching the unorganized counties of Hockley and Cochran to the county of Lubbock for judicial and all other purposes; making process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court as herein fixed, and form all grand and petit juries drawn to be returnable to the corresponding weeks of the terms as herein defined, and declaring an emergency."

S. B. No. 19, "An Act creating the Bellville Independent School District in Austin county, Texas."

MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House:

Governor's Office,
Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Walter D. Caldwell, I submit for your consideration an act fixing the salary of the Adjutant General and making an appropriation of \$7200, or so much thereof as may be necessary, for the payment of such salary for the years ending August 31, 1918, and August 31, 1919.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. E. Pope, I submit for your consideration an act regulating the purchase of junk by persons engaged as junk dealers or in the junk business, providing for uniform affidavits of junk sellers, and for same to be kept in well bound book, subject to the inspection of the public, providing punishments for the violation of same, defining terms "Junk Dealer" and "Junk Business."

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. M. Fly, I submit for your consideration the following subjects: "An Act amending Section 1, Chapter 91, of the General Laws passed by the Thirty-fourth Legislature at its Regular Session, requiring applicants for license to practice law under the provisions of said chapter to produce the proof of the existence the same or similar statute in the State from which the applicant emigrates."

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. T. Williams of Brazoria county, I submit for your consideration the following subject: "An Act to amend Article 5700 of the Revised Civil Statutes of the State of Texas, so as to make same apply to all suits based on fraud."

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator J. C. McNealus, I submit for your consideration "An Act to establish and create within the city of Dallas, Texas, a court to be styled and known as the 'Corporation Court of the City of Dallas.'"

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of the Commissioner of Agriculture, I submit for your consideration an act making an additional appropriation for the support of the Department of Agriculture to pay expenses for nursery inspectors.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth Called Session:

Gentlemen: At the request of Hon. W. H. Bledsoe, I submit for your consideration an act creating and incorporating the Close City Independent School District in Garza county, Texas.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law for the protection of the health, safety and comfort of employes in factories, mills, workshops, mercantile establishments, laundries or other establishments where women are employed.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I beg to submit for your consideration the following subject:

That portion of the joint report of the Central Investigating Committee appointed by the Senate and House of Representatives of the Thirty-fifth Legislature, under the head of "Legislative Department," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Governor's Office," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Lieutenant Governor's Office," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Secretary of State's Office," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Comptroller's Department," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of the "Treasury Department," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Land Office," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Attorney General's Department," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Assistant Attorney General," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "The Judiciary," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Trial Courts," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "Eleemosynary Institutions," and reference is hereby made to the same as it appears in the report of said committee.

That portion of the report under the head of "State Purchasing Agent," and reference is hereby made to the same as it appears in the report of said committee.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

HOUSE BILL NO. 49 ON SECOND READING.

On motion of Mr. Davis of Van Zandt, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 49, A bill to be entitled "An Act to amend Article 657d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, prohibiting overlapping road districts and requiring commissioners courts in case one road district conflicts with or overlaps another road district, to pass an order correctly redefining it; and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road district or road districts, and ratifying all regular and proper proceedings had with reference to bond issues therein, and declaring an emergency."

The bill was read second time.

Mr. Davis of Van Zandt offered the following amendment to the bill:

Amend House bill No. 49 by adding after line 15, page 2, the following: "Provided further, that this act shall not in any way affect or repeal any special road law or any of the provisions thereof heretofore enacted for any county."

The amendment was adopted.

House bill No. 49 was then passed to engrossment.

HOUSE BILL NO. 25 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 25, A bill to be entitled "An Act making it a misdemeanor for any one in local option counties having in his or her possession any intoxicating liquor, or anything that will produce intoxication, or procuring anything of intoxication for any person without divulging the name of the seller if called upon by any one authorized by law, and providing a penalty for the failure thereof."

The bill was read second time.

Mr. Tilson moved to postpone further consideration of the bill indefinitely.

Mr. Dodd moved to table the motion to postpone indefinitely, and the motion to table was lost.

On motion of Mr. O'Banion, the bill was laid on the table subject to call.

HOUSE BILL NO. 36 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 36, A bill to be entitled "An Act relating to the manner of summoning jurors in all counties in this State having three or more district courts and authorizing the sheriff of such county or his deputies to summon such jurors by mailing a written or printed notice deposited in the United States mail postage prepaid, directed to the juror's postoffice address, and to make the return of such officer showing such service prima facie evidence that the juror received the same, and providing for punishment for disobedience of process, and to repeal all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Carlock offered the following amendment to the bill:

Amend House bill No. 36 by adding after Section 3 a new section to be known as Section 3a, as follows:

"Sec. 3a. The provisions of this act shall be cumulative of other methods of summoning jurors, now in force, and shall only be resorted to when great inconvenience would result from pursuing the methods of summoning jurors now authorized by statute."

The amendment was adopted.

Mr. Tilson offered the following amendment to the bill:

Amend House bill No. 36 by striking out all of Section 1.

The amendment was adopted.

On motion of Mr. Williams of McLennan, further consideration of the bill was postponed indefinitely.

Mr. McMillin moved to reconsider the vote by which the bill was postponed indefinitely and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 48 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 48, A bill to be entitled "An Act to authorize the commissioners courts of the various counties of this State to pay for the services of interpreters employed by the various courts in this State, and providing for the collection in civil suits of the sum of three dollars (\$3) as cost of interpreter in every civil suit where an interpreter is used, and declaring an emergency."

The bill was read second time.

Mr. Canales offered the following amendment to the bill:

Amend Section 1, line 16, by striking out the word "in" and inserting in lieu thereof the words "employed by."

Signed—Canales, Rogers.

The amendment was adopted.

Mr. Williford offered the following amendment to the bill:

Amend House bill No. 48, page 1, by adding at the end of Section 1 the following: "Provided, however, that such interpreter shall be paid only for the time he is actually employed."

The amendment was adopted.

House bill No. 48 was then passed to engrossment.

HOUSE BILL NO. 48 ON THIRD READING.

Mr. Canales moved to suspend the constitutional rule requiring bills to be

read on three several days in each house and that House bill No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Metcalf.
Atlee.	Miller of Austin.
Bass.	Moore.
Beard.	Morris.
Beasley.	Murphy.
Bennette.	Murrell.
Bertram.	O'Banion.
Blackburn.	O'Brien.
Bryan.	Osborne.
Burton of Rusk.	Parks.
Butler.	Peyton.
Cadenhead.	Raiden.
Canales.	Reeves.
Carlock.	Robertson.
Clark.	Rogers.
Cope.	Sackett.
Cox of Bee.	Sallas.
Cox of Ellis.	Sentell.
Davis of Dallas.	Schlesinger.
Davis of Harris.	Sholars.
Davis	Smith of Hopkins.
of Van Zandt.	Spencer.
Dodd.	Spradley.
Dudley.	Sneed.
Estes.	Stephens.
Fly.	Stewart.
Ford.	Swope.
Haidusek.	Taylor.
Hardey.	Templeton.
Harris.	Terrell.
Henderson.	Thomason
Hill.	of El Paso.
Holaday.	Thomason
Hudspeth.	of Nacogdoches.
Johnson of Ellis.	Thompson
Jones.	of Hunt.
Laas.	Tillotson.
Lacey.	Tilson.
Laney.	Traylor.
Lange.	Upchurch.
Lanier.	Veatch.
Lee.	Wahrmund.
McComb.	Walker.
McCord.	White.
McCoy.	Williams
McDowra.	of McLennan.
McFarland.	Williford.
McMillin.	Wilson.
Meador.	Woods.
Mendell.	Yantis.

Absent.

Bagby.	Burton of Tarrant.
Beason.	Crudgington.
Bell.	De Bogory.
Blackmon.	Denton.
Bland.	Dunnam.
Bledsoe.	Fairchild.
Brown.	Greenwood.

Holland.	Strayhorn.
Lindemann.	Thomas.
Mathis.	Tinner.
Nordhaus.	Valentine.
Pillow.	Williams
Pope.	of Brazoria.
Richards.	

Absent—Excused.

Baker.	Neill.
Bedell.	Poage.
Cates.	Roemer.
Davis of Grimes.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Bastrop.
Lackey.	Smith of Scurry.
Lowe.	Thompson
Miller of Dallas.	of Red River.
Monday.	Vaughan.

The Speaker then laid House bill No. 48 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—95.

Mr. Speaker.	Laas.
Atlee.	Lacey.
Bass.	Laney.
Beard.	Lange.
Beasley.	Lanier.
Bennette.	Lee.
Bertram.	McComb.
Blackburn.	McCord.
Bryan.	McCoy.
Burton of Rusk.	McDowra.
Butler.	McFarland.
Cadenhead.	McMillin.
Canales.	Mathis.
Carlock.	Meador.
Clark.	Mendell.
Cope.	Metcalf.
Cox of Bee.	Miller of Austin.
Cox of Ellis.	Moore.
Davis of Dallas.	Murphy.
Davis of Harris.	Murrell.
Davis	O'Banion.
of Van Zandt.	O'Brien.
Dodd.	Osborne.
Dudley.	Parks.
Dunnam.	Peyton.
Estes.	Raiden.
Fly.	Reeves.
Ford.	Robertson.
Haidusek.	Rogers.
Hardey.	Sackett.
Harris.	Sallas.
Henderson.	Sentell.
Hill.	Schlesinger.
Holland.	Smith of Hopkins.
Holaday.	Spencer.
Hudspeth.	Spradley.
Johnson of Ellis.	Sneed.
ones.	Stephens.

Stewart.	Traylor.
Swope.	Upchurch.
Taylor.	Veatch.
Templeton.	Wahrmund.
Thomason	Walker.
of El Paso.	White.
Thomason	Williams
of Nacogdoches.	of McLennan.
Thompson	Williford.
of Hunt.	Wilson.
Tillotson.	Woods.
Tilson.	Yantis.

Absent.

Bagby.	Morris.
Beason.	Nordhaus.
Bell.	Pillow.
Blackmon.	Pope.
Bland.	Richards.
Bledsoe.	Sholars.
Brown.	Strayhorn.
Burton of Tarrant.	Terrell.
Crudgington.	Thomas.
De Bogory.	Tinner.
Denton.	Valentine.
Fairchild.	Williams
Greenwood.	of Brazoria.
Lindemann.	

Absent—Excused.

Baker.	Neill.
Bedell.	Poage.
Cates.	Roemer.
Davis of Grimes.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Bastrop.
Lackey.	Smith of Scurry.
Lowe.	Thompson
Miller of Dallas.	of Red River.
Monday.	Vaughan.

Mr. Canales moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House:

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. R. E. Thompson of El Paso, I submit the following subject for your consideration: "An Act to amend Chapter 93 of the Acts of the Thirty-fifth Legislature, approved by the Governor March 26, 1917, and being 'An Act creating the El Paso County Court at Law; to

fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the county court of El Paso county; fixing the salaries of the judges of the county court of El Paso county, and of the El Paso County Court at Law."

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I beg to submit for your consideration the following subject: An Act authorizing the Board of Prison Commissioners to transfer to the general fund of the State an amount equal to that paid out since November 1, 1917, on accounts against the Prison Commissioners for which appropriations were made by the Thirty-fifth Legislature at the Regular Session and First Called Session; also to authorize the Board of Prison Commissioners to pay out of the funds of the prison system the second installment of these claims due and payable November 1, 1918.

The appropriation made by the Legislature at the first Called Session was as follows:

Appropriated,	
page 256,	
First Called	
Session, due	
11/1/17	\$ 46,612 23
Due 11/1/18 .	49,061 53
	<hr/>
	95,673 76
Appropriated,	
page 451,	
Regular Ses-	
sion, prin-	
cipal	\$554,533 18
Interest	100,000 00
	<hr/>
	654,533 18
Total amount	
appropriated	\$750,206 94
Amount paid,	
principal ...	\$ 45,539 68
Amount paid,	
principal ...	277,193 18
Interest	39,690 57
	<hr/>
Total amount	
paid	362,423 43
	<hr/>
Balance un-	
paid	\$387,783 51

The balance of \$387,783.51 represents amount due November 1, 1918.

It is, therefore, suggested that the Legislature authorize the Board of Prison Commissioners to transfer to the general fund of the State \$375,000, or so much thereof as may be necessary, covering the amounts paid out since November 1, 1917, and the Commissioners be further authorized to pay those accounts which have been made payable by the Legislature on November 1, 1918.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of the State Council of Defense, I submit for your consideration the following subject: "An Act to amend Section 4, Chapter 8, General Laws of the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a State Council of Defense, defining its powers and duties, making an appropriation to carry on the work of said Council of Defense.'"

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. R. M. Dudley of El Paso, I submit for your consideration the following subject: "An Act to make appropriation for deficiency in appropriations heretofore made to pay salary of Hon. W. D. Howe as special judge of the Thirty-Fourth Judicial District Court in El Paso county, Texas, in the sum of one hundred fourteen dollars, ninety-four cents (\$114.94)."

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I submit for your consideration the following subject: The enactment of a law or laws authorizing such appropriation as may be nec-

essary to enable the State to make refund for canceled liquor licenses.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I beg to submit for your consideration the following subject: The enactment of a law or laws to enable county and State health officials to more adequately deal with the control of venereal diseases.

Accompanying this message, I submit for your consideration a letter from Major W. A. Sawyer and Lieutenant G. J. Anderson, representing the Fosdick Commission on Training Camp Activities, and making suggestion of adequate laws to accomplish the object sought.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

(Copy.)

War Department,
Commission on Training Camp Activities.

Houston, Texas, March 9, 1918.

Hon. W. P. Hobby, Governor of Texas,
Austin, Texas.

Dear Sir: In accordance with your suggestion, we have conferred with members of both houses of the Legislature and have explained to them the measures which are necessary if the State of Texas is to co-operate with the army to the fullest degree in protecting soldiers against venereal disease and other damage due to vice. Certain measures are submitted which would meet the War Department program as outlined in the recent communication from Secretary Baker to you. These include the following measures:

1. A statute providing for the control of venereal diseases by the health authorities.
2. A statute creating a bureau of venereal diseases to enforce the above statute and providing for the support of the same.
3. The amendment of the present injunction and abatement law to strengthen its effectiveness in the suppression of commercialized vice.
4. A statute substituting commitment to a reformatory or other insti-

tution instead of a fine for women convicted of prostitution.

5. A statute committing the expeditious removal of any municipal or county official who neglects or refuses to enforce the law.

In addition to the above the Secretary of War recommended in his letter the establishment of reformatories and institutions for the feeble-minded. We understand that these measures are under consideration at the present time in Washington by a delegation from Texas. The measures above enumerated are considered urgent.

In behalf of the War Department, we wish to express our appreciation of your co-operation with the army and of the courtesies extended to us by yourself and members of both houses of the Legislature.

Respectfully yours,
(Signed) W. A. SAWYER,
Major, M. R. C.,
Representing Surgeon General Gorgas.
(Signed) G. J. ANDERSON,
First Lieutenant, Sanitary Corps,
Representing War Department Commission.

Governor's Office,
Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of the Board of Trustees of the Texas Deaf and Dumb and Blind Institute for Colored Youths, I submit for your consideration the subject of additional appropriation for the support and maintenance of that institution.

I accompany this message with a letter from the President of the Board of Trustees and from the Superintendent of the Texas Deaf and Dumb and Blind Institute.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

(Copy.)

Texas Deaf and Dumb and Blind Institute for Colored Youths.

Austin, Texas, March 8, 1918.

Governor W. P. Hobby, Capitol Station,
Austin, Texas.

Dear Sir: In view of the great increase in price of nearly all commodities or necessities of life since our estimate budget was made up in November, 1917, and filed with the Comptroller for

legislative enactment by the Thirty-fifth Legislature, it is now evident that the support and maintenance, the dry goods and the stationery, stamps, and printing appropriations made by the Legislature for the Deaf, Dumb and Blind Institute for Colored Youths for the year beginning September 1, 1918, and ending August 31, 1919, are inadequate and insufficient. This is no fault of the Legislature, however, but it is due to the fact that the Superintendent and Board of Managers of the institution were unable to foresee at the time of making the estimates that the price of goods would advance 100 per cent to 125 per cent in twelve or eighteen months' time.

Since the above is true, Governor, and since we know the struggle that we are now having to make ends meet for the present year, we are beseeching Your Honor to submit to the present special called session of the Legislature a message or request to grant us the following supplemental or emergency appropriations for the year beginning September 1, 1918, and ending August 31, 1919, to wit:

For support and maintenance, not otherwise provided for..	\$3,500 00
For dry goods and clothing...	2,000 00
For stationery, stamps and printing	50 00
Total	\$5,550 00

Believe us, Governor, that we are using the strictest economy possible with 158 students to clothe and 192 persons to feed.

Very respectfully,
 (Signed) W. D. MILLER,
 President of Board of Trustees.
 (Signed) ED. SCHUTZE,
 Vice-President.
 (Signed) R. E. L. HOLLAND,
 Superintendent.

BILL ORDERED NOT PRINTED.

On motion of Mr. Templeton, it was ordered that House bill No. 65 be not printed.

HOUSE BILL NO. 53 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 53, A bill to be entitled "An Act to create the Burkeville Independent School District in Newton coun-

ty, Texas, etc., and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 65 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 65, A bill to be entitled "An Act creating the Follett Independent School District of Lipscomb county; providing for an election of board of trustees, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 52 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 52, A bill to be entitled "An Act to amend Article 889, passed at the Regular Session of the Thirty-fourth Legislature, amending Chapter 6, Title 13 of the Penal Code of 1911, and which amendment relates to the closed season for killing doves, and declaring an emergency."

The bill was read second time.

Mr. Laney moved to lay the bill on the table subject to call.

Mr. Spradley moved to postpone further consideration of the bill indefinitely. The motion was lost.

The motion of Mr. Laney prevailed, and the bill accordingly was laid on the table subject to call.

SENATE BILL NO. 15 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 15, A bill to be entitled "An Act to amend Article 7447, Chapter 5, Title 126, of the Revised Civil Statutes of Texas of 1911, so as to hereafter provide that no license shall be granted to any dealer in either spirituous, vinous or malt liquors except within incorporated cities and towns, and prescribing the distance from certain institutions and places within which no license for such business shall be granted, and declaring an emergency."

The bill was read third time and was passed.

Mr. Butler moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 17 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 17, A bill to be entitled "An Act to amend Article 1361, Chapter 2, of the Revised Civil Statutes of Texas of 1911, so as to permit the organization or reorganization of unorganized or disorganized counties upon a petition expressing such desire, signed by not less than seventy-five qualified voters, residing in such unorganized or disorganized county, and declaring an emergency."

The bill was read second time.

On motion of Mr. Robertson, the bill was laid on the table subject to call.

HOUSE BILL NO. 54 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 54, A bill to be entitled "An Act creating an independent school district at Hutto, Williamson county, Texas, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—96.

Mr. Speaker.	Henderson.
Atlee.	Hill.
Bass.	Holland.
Beard.	Holaday.
Beasley.	Hudspeth.
Bennette.	Johnson of Ellis.
Bertram.	Jones.
Blackburn.	Laas.
Bryan.	Lacey.
Burton of Rusk.	Laney.
Butler.	Lange.
Cadenhead.	Lanier.
Canales.	Lee.
Carlock.	McComb.
Clark.	McCord.
Cope.	McCoy.
Cox of Bee.	McDowra.
Cox of Ellis.	McFarland.
Davis of Dallas.	McMillin.
Davis of Harris.	Mathis.
Davis	Meador.
of Van Zandt.	Mendell.
De Bogory.	Metcalfe.
Dodd.	Miller of Austin.
Dudley.	Moore.
Dunnam.	Morris.
Estes.	Murphy.
Fly.	Murrell.
Ford.	Osborne.
Haidusek.	Parks.
Hardey.	Peyton.
Harris.	Raiden.

14—H

Reeves.
Robertson.
Rogers.
Sackett.
Sallas.
Sentell.
Schlesinger.
Smith of Hopkins.
Spencer.
Spradley.
Sneed.
Stephens.
Stewart.
Swope.
Taylor.
Templeton.
Terrell.
Thomason
of El Paso.

Thomason
of Nacogdoches.
Thompson
of Hunt.
Tillotson.
Tilson.
Traylor.
Upchurch.
Veatch.
Wahrmund.
Walker.
White.
Williams
of McLennan.
Williford.
Wilson.
Woods.
Yantis.

Nays—1.

O'Banion.

Absent.

Bagby.	Nordhaus.
Beason.	O'Brien.
Bell.	Pillow.
Blackmon.	Pope.
Bland.	Richards.
Bledsoe.	Sholars.
Brown.	Strayhorn.
Burton of Tarrant.	Thomas.
Crudgington.	Tinner.
Denton.	Valentine.
Fairchild.	Williams
Greenwood.	of Brazoria.
Lindemann.	

Absent—Excused.

Baker.	Neill.
Bedell.	Poage.
Cates.	Roemer.
Davis of Grimes.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Bastrop.
Lackey.	Smith of Scurry.
Lowe.	Thompson
Miller of Dallas.	of Red River.
Monday.	Vaughan.

HOUSE BILL NO. 55 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 55, A bill to be entitled "An Act creating and incorporating Lamkin Independent School District in Comanche county, Texas, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 60 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 60, A bill to be entitled "An Act creating and incorporating the Highland Independent School District in McLennan county, etc."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 21 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 21, A bill to be entitled "An Act creating the Sugar Land Independent School District in Fort Bend county, Texas, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—95.

Mr. Speaker.	Jones.
Atlee.	Laas.
Beard.	Lacey.
Beasley.	Laney.
Bennette.	Lange.
Bertram.	Lanier.
Blackburn.	Lee.
Bryan.	McComb.
Burton of Rusk.	McCord.
Butler.	McCoy.
Cadenhead.	McDowra.
Canales.	McFarland.
Carlock.	McMillin.
Clark.	Mathis.
Cope.	Meador.
Cox of Bee.	Mendell.
Cox of Ellis.	Metcalf.
Crudgington.	Miller of Austin.
Davis of Dallas.	Murphy.
Davis of Harris.	Murrell.
Davis	Osborne.
of Van Zandt.	Parks.
De Bogory.	Peyton.
Dodd.	Raiden.
Dudley.	Reeves.
Dunnam.	Robertson.
Estes.	Rogers.
Fly.	Sackett.
Ford.	Sallas.
Haidusek.	Sentell.
Hardey.	Schlesinger.
Harris.	Smith of Hopkins.
Henderson.	Spencer.
Hill.	Spradley.
Holland.	Sneed.
Holaday.	Stephens.
Hudspeth.	Stewart.
Johnson of Ellis.	Swope.

Taylor.	Upchurch.
Templeton.	Veatch.
Terrell.	Wahrmund.
Thomason	Walker.
of El Paso.	White.
Thomason	Williams
of Nacogdoches.	of McLennan.
Thompson	Williford.
of Hunt.	Wilson.
Tillotson.	Woods.
Tilson.	Yantis.
Traylor.	

Nays—1.

O'Banion.

Absent.

Bagby.	Morris.
Bass.	Nordhaus.
Beason.	O'Brien.
Bell.	Pillow.
Blackmon.	Pope.
Bland.	Richards.
Bledsoe.	Sholars.
Brown.	Strayhorn.
Burton of Tarrant.	Thomas.
Denton.	Tinner.
Fairchild.	Valentine.
Greenwood.	Williams
Lindemann.	of Brazoria.
Moore.	

Absent—Excused.

Baker.	Neill.
Bedell.	Poage.
Cates.	Roemer.
Davis of Grimes.	Schlosshan.
Johnson of Blanco.	Seawright.
King.	Smith of Bastrop.
Lackey.	Smith of Scurry.
Lowe.	Thompson
Miller of Dallas.	of Red River.
Monday.	Vaughan.

SENATE BILL NO. 18 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 18, A bill to be entitled "An Act to create and establish the Batson Independent School District in Hardin county, Texas."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—96.

Mr. Speaker.	Burton of Rusk.
Atlee.	Butler.
Bass.	Cadenhead.
Beard.	Canales.
Beasley.	Carlock.
Bennette.	Clark.
Bertram.	Cope.
Blackburn.	Cox of Bee.
Bryan.	Cox of Ellis.

Crudgington.	Osborne.
Davis of Dallas.	Parks.
Davis of Harris.	Peyton.
Davis	Raiden.
of Van Zandt.	Reeves.
De Bogory.	Robertson.
Dodd.	Rogers.
Dudley.	Sackett.
Dunnam.	Sallas.
Estes.	Sentell.
Fly.	Schlesinger.
Ford.	Smith of Hopkins.
Haidusek.	Spencer.
Hardey.	Spradley.
Harris.	Sneed.
Henderson.	Stephens.
Hill.	Stewart.
Holland.	Swope.
Holaday.	Taylor.
Hudspeth.	Templeton.
Johnson of Ellis.	Terrell.
Jones.	Thomason
Laas.	of El Paso.
Lacey.	Thomason
Laney.	of Nacogdoches.
Lange.	Thompson
Lanier.	of Hunt.
Lee.	Tillotson.
McComb.	Tilson.
McCord.	Traylor.
McCoy.	Upchurch.
McDowra.	Veatch.
McFarland.	Wahrmund.
McMillin.	Walker.
Mathis.	White.
Meador.	Williams
Mendell.	of McLennan.
Metcalfe.	Williford.
Miller of Austin.	Wilson.
Moore.	Woods.
Murphy.	Yantis.
Murrell.	

Nays—1.

O'Banion.

Absent.

Bagby.	Nordhaus.
Beason.	O'Brien.
Bell.	Pillow.
Blackmon.	Pope.
Bland.	Richards.
Bledsoe.	Sholars.
Brown.	Strayhorn.
Burton of Tarrant.	Thomas.
Denton.	Tinner.
Fairchild.	Valentine.
Greenwood.	Williams
Lindemann.	of Brazoria.
Morris.	

Absent—Excused.

Baker.	King.
Bedell.	Lackey.
Cates.	Lowe.
Davis of Grimes.	Miller of Dallas.
Johnson of Blanco.	Monday.

Neill.	Smith of Bastrop.
Poage.	Smith of Scurry.
Roemer.	Thompson
Schlosshan.	of Red River.
Seawright.	Vaughan.

PROVIDING EXTRA COPIES OF
HOUSE JOURNAL.

Mr. Laney offered the following resolution:

Whereas, The supply of the House Journals for the ninth day have been exhausted; and

Whereas, The said Journal has printed therein a proposed substitute for the "Reclamation bill," therefore, be it

Resolved, That 150 extra copies of said Journal be printed and placed on the members' desks.

The resolution was read second time and was adopted.

REPORT OF INVESTIGATING COM-
MITTEE ORDERED PRINTED.

On motion of Mr. Fly, it was ordered that the report of the Central Investigating Committee appointed by the Senate and House of Representatives at the Third Called Session of the present Legislature be printed in the Journal.

RELATING TO WASTE PAPER.

The Speaker laid before the House for consideration at this time the following resolution:

Senate Concurrent Resolution No. 7, Relating to waste paper.

Resolved by the Senate, the House of Representatives concurring, That the Sergeant-at-Arms of the House and the Senate be directed to deliver all waste paper to the Austin chapter of the Red Cross Society.

The resolution was read second time and was adopted.

RECESS.

On motion of Mr. Spencer, the House at 12 o'clock m. took recess to 2:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2:30 o'clock p. m. and was called to order.

Mr. Mendell moved a call of the House for the purpose of maintaining a quorum pending consideration of the conference committee report on House bill No. 9, and the call was duly seconded.

The Speaker then directed the Door-

keeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 9.

Mr. Spencer called up for consideration at this time the report of the conference committee on House bill No. 9.

The Speaker laid the report before the House and it was read as follows:

Committee Room,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives, and Hon. E. A. Decherd, President of the Senate.

Gentleman: Your Free Conference Committee appointed to adjust the differences between the Senate and the House on the amendments by the Senate and rejected by the House, on House bill No. 9, being "An Act to prevent and prohibit in time of war the sale, barter or exchange of spirituous, vinous and malt liquors or medicated bitters capable of producing intoxication, within ten miles of any fort, arsenal, training camp, contonment, aviation field or school where soldiers, sailors, marines or aviators are being quartered, held or trained, or where ships are being built under contract with the government of the United States in time of war in any branch of the army or navy of the United States; to prevent and prohibit the transportation of such liquors into such territory; to provide against application for suspended sentence in such cases; to prohibit the issuance of license in such territory; to provide suitable punishments in such cases, and declaring an emergency," beg leave to report:

That your said committee has adopted the amendments of the Senate, the most important of which is changing the date on which the said act becomes effective from April 1 to April 15, 1918.

In addition to accepting the Senate amendments, the following amendments were offered in the committee and adopted by it, towit:

Committee amendment No. 1: "Section 6. The Attorney General is hereby authorized to enjoin the sale of spirituous, vinous or malt liquors capable of producing intoxication, in violation of this act, or any conduct in violation

of this act, and suit therefor may be maintained in the name of the State of Texas in Travis county, Texas, and the district or county attorney of any county wherein any sale of such liquors are made in violation of any term of this act, or any conduct in violation of this act, is hereby authorized to maintain, in the proper court of said county, or in Travis county, Texas, suit in the name of the State to enjoin and prevent such sale or other violation of this act."

"Committee amendment No. 2: Change Section 6 of the original bill to read No. 7; No. 7 to read No. 8, and No. 8 to read No. 9."

"Committee amendment No. 3: Amend the caption of House bill No. 9 by adding after the words 'to prohibit the issuance of liquor licenses in such territory,' the following: 'authorizing and empowering the Attorney General to enjoin the sale of liquors prohibited by this act, or any conduct in violation of said act, and authorizing the district or county attorney of the county where the violations occur to maintain suit in the name of the State to enjoin and prevent the sale of such liquors or the violations of this act.'"

"Committee amendment No. 4: Amend Section 3a of Senate amendment No. 8 by adding after the words 'and every month thereafter file,' the words: 'a duplicate of.'"

HENDERSON,
BEE,
DEAN,
BUCHANAN of Bell,
On the Part of the Senate.
SPENCER,
COPE,
THOMASON of El Paso,
VEATCH,
MENDELL,
On the Part of the House.

We do not agree with the majority of the conferees in accepting the Senate's amendment changing the date of taking effect of this act from April 1st to April 15th. In this hour of our nation's stress the success of our army should be our first thought and aim. The protection of our soldiers is demanded and should not be delayed. We favor the adoption of the other amendments.

COPE,
BUCHANAN of Bell.

I vote against accepting Senate amendment changing date to April 15. I was in favor of April 1.

Mr. Spencer moved to adopt the report.

Mr. Davis of Harris moved to refer the report back to the conference committee for further consideration.

On motion of Mr. Veatch, the motion of Mr. Davis of Harris was tabled.

Mr. Spradley moved the previous question on the report and the main question was ordered.

Question—Shall the report of the conference committee on House bill No. 9 be adopted?

The Clerk was directed to call the roll, and the report was adopted by the following vote:

Yeas—98.

Mr. Speaker.	McFarland.
Atlee.	McMillin.
Bass.	Mathis.
Beard.	Meador.
Beasley.	Mendell.
Bennette.	Metcalfe.
Bertram.	Miller of Austin.
Blackmon.	Monday.
Bryan.	Moore.
Burton of Rusk.	Morris.
Butler.	Murrell.
Cadenhead.	Nordhaus.
Canales.	O'Brien.
Carlock.	Osborne.
Clark.	Parks.
Cope.	Peyton.
Cox of Bee.	Poage.
Cox of Ellis.	Raiden.
Davis of Dallas.	Reeves.
Davis	Robertson.
of Van Zandt.	Roemer.
De Bogory.	Rogers.
Dodd.	Sackett.
Dudley.	Sentell.
Dunnam.	Schlesinger.
Estes.	Sholars.
Fly.	Smith of Hopkins.
Ford.	Spencer.
Haidusek.	Spradley.
Hardey.	Sneed.
Harris.	Stephens.
Henderson.	Stewart.
Hill.	Strayhorn.
Holaday.	Swope.
Hudspeth.	Templeton.
Johnson of Ellis.	Terrell.
Jones.	Thomason
Laas.	of El Paso.
Lacey.	Thomason
Laney.	of Nacogdoches.
Lange.	Thompson
Lanier.	of Hunt.
Lee.	Tilson.
Lindemann.	Taylor.
McComb.	Upchurch.
McCord.	Veatch.
McCoy.	White.
McDowra.	

Williams	Wilson.
of McLennan.	Woods.
Williford.	Yantis.

Nays—2.

Davis of Harris. Traylor.

Absent.

Bagby.	Pillow.
Beason.	Pope.
Bell.	Richards.
Blackburn.	Sallas.
Bland.	Smith of Scurry.
Bledsoe.	Thomas.
Brown.	Tillotson.
Burton of Tarrant.	Tinner.
Crudgington.	Valentine.
Denton.	Wahrmund.
Fairchild.	Walker.
Greenwood.	Williams
O'Banion.	of Brazoria.

Absent—Excused.

Baker.	Miller of Dallas.
Bedell.	Neill.
Cates.	Schlosshan.
Davis of Grimes.	Seawright.
Johnson of Blanco.	Smith of Bastrop.
King.	Thompson
Lackey.	of Red River.
Lowe.	Vaughan.

Mr. Dudley moved to reconsider the vote by which the report was adopted and to table the motion to reconsider. The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted House Concurrent Resolution No. 5.

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House:

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Messrs. Jones and Dodd, I submit for your con-

sideration an act to amend House bill No. 820, which is Chapter 137 of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, approved March 28, 1917, creating a more efficient road system for Bowie county, Texas.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in
Fourth Called Session.

Gentlemen: I submit for your information a financial statement of the State prison system at the close of business February 28, 1918. I have also collected data pertaining to the various farms operated as a part of the State prison system, which is submitted for such reference as the members of the Legislature may wish to make of it.

That it is better business policy for the State to own the lands being farmed by the State and on which the convicts are worked can not be successfully denied. The amounts annually paid for rent will in a few years purchase the land, and the State will profit to that extent. But a more important reason for the State to own these lands is because the State has a freer hand in providing better surroundings and better working conditions when the property is owned rather than rented by the State. The housing facilities and the sanitary and physical surroundings should be in keeping with the best method of affording humane treatment and comfortable quarters to the prison inmates, and ownership of the property they work will make that easier of accomplishment.

In my judgment, the Prison Commissioners should, as the finances of the system permit, exercise all of the options to purchase those farms under lease.

In the prison law which became effective in January, 1911, one of the principal changes affecting the operation of the State penitentiaries, arose from the provision of the law requiring the working of the prison population on State properties and on State account, the statute declaring this to be the established policy of the State in the operation of its prison system. This law, in all substantial particulars, remains in force today.

The Legislature, by the enactment of the statute referred to, authorized the

Prison Commission, with the Governor's approval, to acquire by purchase such farming lands as might be necessary for the employment of all convicts not worked in the prison factories or otherwise. The action of the Legislature in passing this law seems to have been the culmination of a general trend in that direction through several successive periods in the history of the State penitentiaries.

As but a limited number of prisoners could be accommodated or advantageously worked in the two walled prisons at Huntsville and Rusk, the great majority of the prisoners have at all times been used in the farming operations. As the prison system in 1911 did not own a sufficient acreage of farm lands for the employment of all the prisoners available for that class of work, and did not at that time possess funds for the purchase of any land, the Prison Commission resorted to the course of entering into a number of lease contracts in order to acquire the additional acreage needed, all of these leases granting to the Commission an option to purchase the lands at any time during the life of the lease at the agreed price stated therein.

The first farm purchased by the prison system was the Harlem State farm, in Fort Bend county, in the year 1887, and several additional farms and tracts of land have been purchased since. On January 1, 1917, the system owned a total acreage of 56,017 acres, of which 31,640 acres were in cultivation. The tracts of land under lease on January 1, 1917, containing 22,834 acres in cultivation of a total acreage of 34,191.

Detailed statements of the land owned and under lease at the present time are attached and made a part of this message. The financial success of the system for the year 1917 placed sufficient means at the disposal of the Commission and the Governor, enabling them to purchase additional bodies of land for the State, and it was considered advisable and expedient to do so, not only with the view of complying with the intent and provisions of the law, but as a sound business policy for the State as well, it appearing that the price at which the property could be bought and the terms on which payment could be made were such that the annual payments of the purchase money could be met in any average year by the amount it would be necessary to pay the owner of the land

as rent should the State continue to lease the property.

Consequently, in accordance with the terms of contracts entered into in December, 1917, and January, 1918, the following tracts of land have been purchased and duly conveyed to the State, to wit:

1. The Retrieve plantation, in Brazoria county, Texas, containing 7424.4 acres of land, conveyed by T. Martin to the Prison Commission by deed dated February 1, 1918, for a total consideration of \$320,879.00, at the rate of \$50 per acre for the land in cultivable condition, and \$40 per acre for the timbered land and land not at present in a state of cultivation; terms of payment, \$125,879.60 cash, balance in six equal annual installments, the first installment falling due January 1, 1920; the deferred payments bearing 5 per cent interest, payable annually.

2. The Masterson plantation, in Brazoria county, Texas, containing 3900 acres of land, conveyed by Branch T. Masterson to the Prison Commission by deed dated December 31, 1917, for a total consideration of \$136,500, at the rate of \$35 per acre; terms of payment, \$50,000 cash, balance in ten equal annual installments, the first installment falling due December 31, 1918; the deferred payments bearing 6 per cent interest, payable annually.

3. The Jackson place, in Brazoria county, Texas, containing 3377.99 acres of land, conveyed by Bassett Blakely to the Prison Commission by deed dated January 1, 1918, for a total consideration of \$135,119.60, at the rate of \$40 per acre; terms of payment, \$50,000 cash, balance in ten equal installments, the first installment falling due January 1, 1919; the deferred payments bearing 6 per cent interest, payable annually.

The Masterson and the Jackson places, above referred to, adjoin and lie adjacent to the Ramsey State farm, and will henceforth properly be a part of that farm and will continue under the Ramsey farm management, as has been the case during the past several years that the Masterson and Jackson places have been leased by the system. The original tract, designated as the Ramsey State farm, was acquired by purchase some ten years ago. The Retrieve farm, near the town of Angleton, Texas, is not attached to any other State plantation, and constitutes an independent farm itself.

The attached statements will show

the acreage now owned and leased by the prison system. Statement "A" gives the names and locations of the State owned properties, with total acreage and acreage in cultivation; statement "B" gives names of leased tracts, lessors and acreage in cultivation thereon; statement "C" gives total acreage contained in the leased tracts, rental terms and option price per acre at which the land can be bought by the State. Of a total of 70,719.39 acres owned by the State, 36,800 acres are in cultivation; of 24,731 acres leased land, 20,002 acres are in cultivation. The principal crops produced are cotton, sugar cane, corn and other feedstuffs, and garden truck.

The total prison population on March 1, 1918, was 3655, of which 636 were at the two walled prisons, and 3019 distributed among the various farms of the system.

The three tracts of land recently purchased are considered by the Prison Commission to be splendid acquisitions. In 1917 the gross value of the crops produced on the Jackson Place practically equaled the entire purchase price of the property; the production on the Masterson Place amounted to nearly sixty per cent of the purchase price; while the gross production on Retrieve Farm amounted in value to practically one-third of the entire purchase price of the farm. Within the next thirty days, approximately \$15,000.00 worth of wood, cut from the Ramsey Farm, including the Masterson Place, will be ready for shipment. The wood has already been sold under contract for early delivery. I am accompanying this message with a letter from the Prison Commission, setting forth the reasons for and the advantages of the purchases made.

The State's policy of working prisoners only on State-owned property, and of utilizing the great majority of convicts in farming, especially at a time such as the present when the cry for greater production is so universal, suggests the advisability and wisdom of the prison system making further purchases of land as soon as it may be found practicable and expedient to do so, and of exercising the options it now holds to purchase large bodies of land that are being worked under lease contracts, with the end in view of the State acquiring ownership of all the farm land needed for the proper employment of the convicts assigned to that class of labor.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

"A."

Statement of Lands Owned by the Prison System on March 1, 1918, Showing Total Acreage and Acreage in Cultivation for the Year 1918.

Harlem State Farm, Ft. Bend county; 5579 acres; 4704 in cultivation.

Imperial State Farm, Ft. Bend county; 5235 acres; 4579 in cultivation.

*Ramsey State Farm, Brazoria county; 15,039.99 acres; 6704 in cultivation.

Clemens State Farm, Brazoria county; 8255 acres; 5985 in cultivation.

Eastham State Farm, Houston county; 13,040 acres; 7220 in cultivation.

Ferguson State Farm, Madison county; 4320 acres; 1700 in cultivation.

Shaw State Farm, Bowie county; 4610 acres; 2460 in cultivation.

Retrieve State Farm, Brazoria county; 7424.4 acres; 2400 in cultivation.

Wynne State Farm, Walker county; 1976 acres; 505 in cultivation.

**Goree State Farm, Walker county; 1000 acres; 544 in cultivation.

***Rusk Prison Lands, Cherokee county; 4240 acres; none in cultivation.

Totals, 70,719.39 acres; 36,800 in cultivation.

"B."

Statement of Lands Leased by Prison System under Contracts in Force for Year 1918.

Blue Ridge Farm; Bassett Blakely, lessor; 7000 in cultivation.

Bassett Blakely Farm; Bassett Blakely, lessor; 2552 in cultivation.

John D. Rodgers Farm; John D. Rodgers, lessor; 2730 in cultivation.

Darrington Farm; Bassett Blakely, lessor; 3500 in cultivation.

Small Tracts Leased Adjoining State Farms.

Clemens State Farm:

Caldwell Place; T. W. Caldwell, lessor; 343 in cultivation.

Imperial State Farm:

Turner Place; Bassett Blakely, lessor; 1000 in cultivation.

McLaughlin Place; Mrs. D. F. McLaughlin, lessor; 157 in cultivation.

Shamblin Place; Mrs. E. J. Shamblin, lessor; 100 in cultivation.

*Ramsey Farm includes Masterson and Jackson Places recently purchased.

**Goree Farm is the women's farm.

***Rusk Prison lands will no longer be available for use by the Prison System.

Harlem State Farm:

Figure Four Ranch; Real F. Ransom, lessor, 1900 in cultivation.

Blakely Land; Bassett Blakely, lessor; 483 in cultivation.

Fields Place; Mrs. E. J. Fields, lessor; 200 in cultivation.

Ramsey State Farm:

J. H. Smith Tract; J. H. Sieber, lessor; 107 in cultivation.

J. Mort Smith Place; J. Mort Smith, lessor; 100 in cultivation.

Barnes Place; A. C. Barnes, lessor; 190 in cultivation.

Schwab Tract; Fred Schwab, lessor; 90 in cultivation.

Baker Tract; Mrs. J. F. Baker, lessor; 50 in cultivation.

Total leased land in cultivation, 20,502 acres.

"C."

Statement of Lands Leased by Prison System Showing Total Acreage in Tracts, Rental Terms, and Price at Which State Has Option to Purchase.

Blue Ridge No. 1; 5300 acres; 25 per cent of crops; \$50.00 option price.

Blue Ridge No. 2; 1700 acres; 40 per cent of crops*.

Bassett Blakely Farm; 3000 acres; \$15,000 per annum or one-fourth of crops; \$60.00 option price.

John D. Rogers Farm; 3000 acres; \$12.00 per acre or 40 per cent of cotton and 50 per cent of corn; *\$60.00 option price.

Darrington Farm; 6702 acres; 25 per cent of cotton and corn and 20 per cent of cane and other crops; \$50.00 option price.

Clemens Farm Leases:

Turner Place; 1000 acres; \$7.00 per acre or one-fourth of crop.

McLaughlin Place; 157 acres; \$5.00 per acre or one-fourth of crop.

Shamblin Place; 100 acres; \$5.00 per acre or one-fourth of crop.

Harlem Farm Leases:

Figure Four Ranch; 1928 acres; \$6.00 per acre or one-fourth of crop.

Blakely Land; 483 acres; \$5.00 per acre or one-fourth of crop.

Fields Place; 200 acres; \$5.00 per acre or one-fourth of crop.

Ramsey Farm Leases:

*Lessors Blue Ridge No. 2 and John D. Rogers Farm, in addition to mules and farming implements, furnish all planting seed and all feed for work-stock.

J. G. Smith Land; 107 acres; one-fifth of crop.

J. Mort Smith Land; 100 acres; one-fifth of crop.

Barnes Land; 209 acres; one-fifth of crop.

Schwab Land; 152 acres; one-fifth of cotton and one-third of corn.

Baker Land; 250 acres; \$205.00 per annum.

Total, 24,731 acres, including cultivable and non-cultivable land.

At Darrington and Blue Ridge No. 1 lessors are obliged to furnish requisite number of mules and guard horses. At Bassett Blakely Farm and Turner Place lessor furnishes mules and horses and all farming implements and tools.

Board of Prison Commissioners,

Huntsville, Texas, February 25, 1918.

Hon. W. P. Hobby, Governor of Texas,
Austin, Texas.

Dear Sir: Relative to the recent purchase of land in Brazoria county made by the Prison Commission with your approval I have thought it advisable to make this written statement to you setting forth the reasons these properties were purchased for the prison system, most of which reasons have heretofore been stated to you by letter and in conferences had with you relative to those purchases.

In the first place, the prison law passed in 1911 provided that the Prison Commission might buy so many acres of land as would enable all prisoners hired out or worked on share or contract farms, and who are not otherwise employed, to be employed directly on farms belonging to the prison system. This policy of the Legislature, as expressed by the statute, has also been the policy of the present Board of Prison Commissioners, practical experience having demonstrated that farming is the best form of labor in which to use the great majority of State convicts.

The three places purchased were the Retrieve Plantation, consisting of 7424.4 acres for a total consideration of \$320,879.60; the Masterson Plantation, containing 3900 acres, total consideration, \$136,500; the Felix Jackson Place from Mr. Bassett Blakely, containing 3377.99 acres, total consideration, \$135,119.60. These three places and other farms have been leased by the system since 1911, as the system did not own a sufficient acreage for the employment of all the convicts assigned to farm labor, and the financial condition of the system in

previous years does not seem to have justified any extensive purchases of land. However, the system's finances at the present time will justify such purchases, and in our opinion it is good business for the State, as well as for an individual, to own the land it works rather than continue to rent it. The annual payments of rent to the lessor will, in any average year, more than take care of the annual payments on the purchase price, and frequently far exceed these annual installments of the purchase price. For instance, the annual payments of purchase money on the Masterson Place, according to the terms of the deed, will be \$8650, whereas in 1917 Mr. Masterson was paid in rent and the value of the crop turned over to him, amounting to \$20,530. The annual payments on the Felix Johnson Place will be \$8511.96; the rent paid for the use of this place during 1917 amounted to \$27,149. The deferred payment on the Retrieve Place, amounting to \$195,000, is payable in seven years; the amount of rent paid on this place in 1917 amounted to \$24,821.76.

From the foregoing, it is seen that the annual payments of the purchase money will be taken care of by the annual rent that would have to be paid the lessors had the State continued to lease these properties. In addition to this, as we have previously advised, there are some valuable tracts of timber and wood lands in the premises purchased, and the value of the wood and timber we expect to cut, use and sell each year will go a long way towards paying for the land, if it does not do so entirely.

With further reference to the Retrieve Farm, this place is known to be one of the best cane farms in Texas, the yield in any average year being heavy and rich. It is our intention to develop the cane acreage on this farm so as to have in cultivation there within the next four or five years approximately 5000 acres in cane. The cane will be shipped and milled at the Clemens Sugar Mill, which is only a few miles from Retrieve. This mill represents an investment around \$250,000 and is a modern and well equipped mill in every respect, and has not been run to full capacity during recent years on account of lack of cane in its vicinity. During the year 1917 the mill made a profit of \$37,000 from 1100 acres of cane on Clemens Farm, and but for a short cane crop and the overhead expense the profits would have been greater. This increased cane acreage on Retrieve Farm will enable the Clemens mill to run to full capacity and make a profit in proportion to the amount

invested in the machinery, buildings and equipment of the mill, and the overhead expense will be no greater than in the past when the mill has been operated only a short part of the season.

Yours very truly,
(Signed) W. G. PRYOR,
Prison Commissioner.

Financial Statement of the State Prison
System at the Close of Business
February 28, 1918.

Balance on hand February 28, 1918	\$1,293,828 36
Distributed as follows:	
Union National Bank, Houston, Texas	\$ 67,548 68
Houston National Exchange Bank, Houston, Texas...	48,810 59
Huntsville State Bank, Huntsville, Texas	42,513 37
State Treasurer, Austin, Texas	1,134,955 72
Total	\$1,293,828 36

(Signed) JAMES P. WELSH,
Auditor Texas State Prison System.

Governor's Office,
Austin, Texas, March 8, 1918.

To the Thirty-fifth Legislature in Fourth
Called Session:

Gentlemen: I submit for your consideration the subject of an additional appropriation to build a quarantine station at Sabine Pass. An appropriation for \$65,000 was made by the Legislature, and after advertising for plans and bids to build the station and the contract was awarded, it was ascertained that the proposed foundation would not serve the purpose.

Application was made to me for authorization of a deficiency warrant of more than \$18,000 to meet the necessary additional expense. I declined to authorize this deficiency and made settlement for the work done, under authority of the legislative act, by paying 10 per cent of the contract price for the building. An agreement was entered into at the same time that if before April 1st it be the desire of the Legislature to make the additional appropriation for the foundation, the contractor would carry out the contract on the original cost basis and the amount paid would be applied on the same.

I am accompanying this message with a letter from Dr. W. B. Collins, State Health Officer, who conducted the negotiations to erect this building, and which

communication is self-explanatory and is submitted for your consideration.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Texas State Board of Health.

Austin, Texas, February 25, 1918.

To His Excellency, Governor W. P. Hobby, Austin, Texas.

Dear Governor: In obedience to your request I am giving you the history of the appropriation to build a quarantine station at Sabine Pass, also reasons for failure to build same at present. In the first place a committee of engineers were selected by the Texas State Board of Health and Port Arthur Board of Trade to get up data as to the importance of Sabine Pass as a shipping point, to pass on the foundation for a station and recommend to the Thirty-fifth Legislature the passage of a bill carrying an appropriation adequate to build this station. The plan and request for an appropriation contemplated a modern fire and storm proof edifice, erected near the deep water channel at Sabine Pass. This building was to provide means of quarantining all persons subject to quarantine and treat all ships and their contents, disinfecting baggage of persons coming from infected ports. In a word, make safe all ships, passengers, freight and baggage which might come from any infected port or place, and go to either Sabine, Port Arthur, Port Neches, Beaumont or Orange. One station to provide for all these ports. The Legislature appropriated \$65,000 for this purpose. I immediately secured a permit from the United States government to build this station; advertised for plans and bids to build the station; made a contract to build same, but upon investigation it was found that the foundation would not do at all to put a building on of this kind. It would take approximately \$18,000 more money than the Legislature had appropriated to drive piles every four feet, fifty feet deep, put a concrete cap on them with girders to hold them together, which would support the building. To be more concise, an artificial foundation would have to be made costing approximately the above amount in addition to the sum appropriated by the Legislature.

You will remember that the contractor and myself called on you and discussed the advisability and legality of issuing a deficiency warrant to cover the amount required to do this additional work. The additional work, you will remember, also

included dredging a slip from the deep water channel to the house, and curbing a boat well under the house near the wharf which would be required for landing people going to and from the station. Your conclusion was, if I remember correctly, that a deficiency warrant could not be issued for this purpose. At any rate, you preferred to wait and let the Legislature act with all facts before it.

Messrs. Kroeger & Weston, the contractors, claimed that they were damaged in not being allowed to go on and build the house, but agreed to complete their contract, upon the payment of 10 per cent of the contract price, after a period of ninety days. The 10 per cent paid them as damages by yourself for the State, was to be credited on the contract price provided the Legislature appropriated the amount necessary to complete the building, and allowing them to begin their work within ninety days. To be brief, they would carry out the original terms of their contract, giving the State ninety days through its Legislature to appropriate the supplemental funds, letting the ten per cent paid by the State as damages for forfeiture of contract be applied as a credit on the building, if provided for by the Legislature and work begun within ninety days from the time this sum was paid.

I am giving you these details in order that you may request the Legislature to appropriate this sum so that we may go ahead and complete this station, which I think very important. Sabine is now one of the most important ports on the gulf coast, being the gateway to all of the above stations, and since the beginning of the war there has been a large ship yard erected at Beaumont which has increased the tonnage shipped to and from that port very materially. Furthermore, the amount paid the contractors and drawer of the plans will be a clear loss to the State unless provision is made to complete the station. This is an item to be considered. The plumbing and lighting contractors have also begun to want damages for failure to be allowed to comply with their contracts on this building. I do not know what sum they will ask, but they have indicated that they would want some damages.

In my judgment it would be wise to ask the Legislature to make this appropriation; however, I am merely stating this in an advisory way and not in a spirit of dictation; I leave this to your good judgment.

Hoping I have given you sufficient de-

tail upon which to form a correct and businesslike conclusion, I am, with kindest personal regards and best wishes,

Yours very truly and obediently,
W. B. COLLINS,
State Health Officer.

(Copy.)

Austin, Texas, December 20, 1917.

Hon. W. P. Hobby, Governor of Texas,
Austin, Texas.

My dear sir: We hereby beg to confirm mutual agreement reached relative to cancellation of a contract entered into between the State of Texas and our firm on the 24th day of August, 1917, for the erection of a quarantine station at Sabine Pass, Texas, said agreement being as follows, to-wit:

We to be allowed reimbursement for amount already expended thereunder, to-wit: The amount of \$1000 and the additional amount of \$4790, the same being 10 per cent of the remainder of the total estimate of cost of construction, the total amount being \$5790 to be paid to us.

It is further understood and agreed, and we hereby bind and obligate ourselves, that in the event the necessary amount for constructing the proper foundation is raised and placed at our disposal (the amount not having been provided for in the appropriation and being about \$11,000), we will re-enter into the same contract with the State of Texas for the construction of this quarantine station, within a period of ninety days, and allow the said amount of \$5790 to be a credit on said contract price.

Witness our hands this the 20th day of December, A. D. 1917.

(Signed) WESTON & KROEGER,
By W. B. Kroeger,
Member of the Firm.

Approved:

W. P. HOBBY,
Governor of Texas.

HOUSE BILL NO. 58 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 58, A bill to be entitled "An Act to amend Articles 3826, 3827 and 3828 of Title 57, Revised Civil Statutes of the State of Texas (1911), and add thereto Articles 3828a and 3828b, defining commission merchants and requiring them to take out a license through the Commissioner of Agriculture; paying a fee therefor authorizing them to do business in this State;

providing that they shall give bond approved by Commissioner of Agriculture; prescribing terms and conditions of said bond; providing for making reports by all commission merchants, sales agents for truck growers' associations; requiring them to keep books and records and sales tickets and submit to the Commissioner of Agriculture, or his authorized agents; authorizing the Commissioner of Agriculture to refuse to issue licenses to persons not of good character, and to cancel licenses for failure to make reports or submit books, records, and sales tickets for inspection, or for fraud or dishonest dealing as provided by this act; authorizing the Commissioner of Agriculture to employ marketing agents to assist in enforcing the provisions of this law; empowering the Commissioner of Agriculture to supervise municipal markets; prescribing penalties for the violation of the provisions of this act, and declaring an emergency."

The bill was read second time.

Mr. Davis of Harris moved to postpone further consideration of the bill until next Monday.

Mr. Cope offered the following amendment to the bill:

Amend the bill, page 3, line 36, by inserting after the word "agriculture" the following: "upon warrants issued by the Comptroller of the State, as required in the general appropriation for the support of the Department of Agriculture."

The amendment was adopted.

Mr. Mendell moved to postpone further consideration of the bill until March 25.

Mr. Moore moved to postpone further consideration of the bill indefinitely.

Question first recurring on the motion of Mr. Davis of Harris, it was lost.

Question next recurring on the motion of Mr. Mendell, it prevailed and further consideration of the bill was accordingly postponed until March 25.

Mr. Stewart moved to reconsider the vote by which further consideration of the bill was postponed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 24, A bill to be entitled "An Act to amend Article 637d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, prohibiting overlapping road districts and requiring the commissioners courts in case one road district conflicts with; or overlaps another district, to pass an order correctly redefining it, and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road district or road districts, and ratifying all regular and proper proceedings had with reference to bonds issued therein, and declaring an emergency."

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House:

Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I submit for your consideration the following subjects: To enact a law to provide for the creation of corporations to prevent the pollution of streams and to that end empowering such corporations to gather, impound, and store water containing salt or other substances produced in the drilling or operation of oil wells or other wells; and authorizing such corporations to charge reasonable rates for service; and prohibiting discrimination between patrons; and conferring upon such corporations the power of condemnation of necessary land and rights; authorizing corporations interested in the proper disposition of such waters to subscribe for, own and vote stock in corporations created thereunder, and declaring an emergency.

The unusual deficiency in rainfall has lessened the flow of water in the streams, particularly in the southeastern part of the State, used for the irrigation of rice and other crops. As previous experience has shown, the result will be that salt water will come from the gulf and fill these streams with

water, so impregnated with salt as to render it unfit for use in irrigation. You have before you now a bill to remedy this situation.

In addition to this salt water which will come up from the Gulf, there is another difficulty to the successful raising of rice or other crops by means of irrigation. This difficulty arises from the fact that within the watersheds of these streams so used for irrigation there are oil wells and other wells that produce large quantities of salt water. As to oil wells, it is impossible to produce the oil and not raise the salt water also to the surface, and this salt water unless impounded finds its way into the streams so used for irrigation.

Of course the raising of crops by irrigation, particularly of rice, is always of great importance to our people. At this time, because of the war it is more essential. In like manner the production of petroleum must not be interfered with, especially at this time, because of the great demand for fuel oil to operate the light fleets of our own navy and those of our Allies, and for the gasoline essential for motor truck and airplane service. I think you will agree that the State should do anything in its power to remove any obstruction to the successful conduct of both of these industries.

The owners and operators of such wells have spent and are now spending large sums of money in attempting to prevent the flow into the streams of the salt water so produced in the operation of their wells, but neither these individuals nor such corporations have the power to condemn lands for reservoirs, ditches, and canals so as to provide the requisite systems for the impounding and storing of the salt water so produced, and they meet with much difficulty in obtaining the lands and rights of way necessary for that purpose. In my judgment, they should be aided in their efforts to install such systems, by being permitted to create corporations for that purpose, and to have the power to condemn the requisite lands and rights, of course paying therefor just compensation.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

HOUSE BILL NO. 61 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to engrossment,

H. B. No. 61, A bill to be entitled "An Act to amend Article 1028, Revised Civil Statutes of 1911, dealing with the fixing of rates for public utility corporations; providing the length of time such rates shall be effective and providing that such rates shall be reasonable ones, and declaring an emergency."

The bill was read second time.

On motion of Mr. Laney, further consideration of the bill was postponed until 10 o'clock a. m. tomorrow.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Free Conference Committee report on House bill No. 9 by vote of 23 yeas, no nays.

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

Senate bill No. 24 was laid before the House, read first time and referred to the Committee on Roads, Bridges and Ferries.

BILL ORDERED NOT PRINTED.

On motion of Mr. Davis of Van Zandt, it was ordered that Senate bill No. 24 be not printed.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Thompson and Mr. Yantis:

H. B. No. 71, A bill to be entitled "An Act prescribing the method by which retail dealers in intoxicating liquors in this State shall make sales of same, and providing that sales shall be made only in cases wherein such liquor is to be drunk on the premises at the time such sale is made, except as in this act otherwise provided; prohibiting the sale of such liquors to any customer or purchaser in cases wherein such customer or purchaser is "setting up," giving to, or in any manner supplying such liquor,

either directly or indirectly, to any person other than such purchaser pursuant to a custom commonly designated and known as "treating," etc., and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Carlock:

H. B. No. 72, A bill to be entitled "An Act to create a Commission of Appeals of Texas and to define the powers and duties thereof; and for the appointment of their stenographers and porter, and the furnishing of rooms for their use in the Capitol, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Carlock:

H. B. No. 73, A bill to be entitled "An Act to amend Article 1591 of the Revised Civil Statutes of 1911 of this State, defining the final appellate jurisdiction of the Court of Civil Appeals, repealing all laws and parts of laws in conflict therewith; providing the time at which such act shall take effect, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Carlock:

H. B. No. 74, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of 1911 of this State as amended by the Act of the Regular Session of the Thirty-third Legislature, approved March 28, 1917, defining the appellate jurisdiction of the Supreme Court, repealing all laws and parts of laws in conflict therewith, stating the time when the same shall go into effect, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Mendell:

H. B. No. 75, A bill to be entitled "An Act fixing the salary of the Adjutant General and making an appropriation of \$7200, or so much thereof as may be necessary, out of moneys in the State Treasury, not heretofore appropriated, for the payment of such salary for years ending August 31, 1918, and August 31, 1919; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Fly:

H. B. No. 76, A bill to be entitled "An Act amending Section 1, Chapter 91 of the General Laws passed by the Thir-

ty-fourth Legislature at its Regular Session requiring applicants for license to practice law under the provisions of said chapter to produce the proof of the existence of the same or similar statute in the State from which the applicant emigrates, validating all license issued by the clerk of the Supreme Court under the provisions of said Chapter 91 passed by the Thirty-fourth Legislature prior to the passage of this act, and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

By Mr. Williams of Brazoria:

H. B. No. 77, A bill to be entitled "An Act to amend Article 5700 of the Revised Civil Statutes of the State of Texas, so as to make same apply to all suits based on fraud."

Referred to Committee on Reforms in Criminal Procedure.

By Mr. Dudley:

H. B. No. 78, A bill to be entitled "An Act to make appropriation for deficiency in appropriations heretofore made to pay salary of Hon. W. D. Howe as special judge of the Thirty-fourth Judicial District Court in El Paso county, Texas, in the sum of one hundred fourteen dollars ninety-four cents (\$114.94), and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bledsoe:

H. B. No. 79, A bill to be entitled "An Act creating and incorporating the Close City Independent School District, in Garza county, Texas, and defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess, and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said school district; providing an election of trustees thereof, and providing for an emergency."

Referred to Committee on Education.

By Mr. Mendell:

H. B. No. 80, A bill to be entitled "An Act making an additional appropriation for the support of the Department of Agriculture to pay expenses of nursery inspectors, in the sum of \$5000 for each of the two years ending August 31, 1918, and August 31, 1919; the same

to be in addition to the \$2000 appropriation for such purposes for the two years, by Chapter 28 of the General Laws, enacted by the Third Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 81, A bill to be entitled "An Act to provide for the sale, lease, transfer, patenting and forfeiture of the land belonging to the Public Free School fund, the Lunatic Asylum fund, the Blind Asylum fund, the Deaf and Dumb Asylum fund, the Orphan Asylum fund and the State University fund, by amending Section 1 of Chapter 150 of an Act approved April 5, 1915, etc.; and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 82, A bill to be entitled "An Act to amend Article 5376, Revised Civil Statutes of 1911, and to repeal Article 5379 of the same statute relating to the delivery of patents, and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 83, A bill to be entitled "An Act to amend Article 3842, Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas."

Referred to Committee on Public Lands and Land Office.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 84, A bill to be entitled "An Act to amend Sections 3, 16 and 19 of Chapter 83 of an act approved March 16, 1917, relating to the development of minerals by requiring applications to be filed in the General Land Office instead of with the county clerk, and providing that permits shall be issued to the one who makes the highest cash offer for the area in addition to the one-eighth royalty, and providing for the employment of a mineral inspector, and making an appropriation therefor, and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 85, A bill to be entitled "An Act to create a Board of Examiners

of Land Surveyors that shall serve without pay, and prescribing their duties; prescribing the subjects in which applicants for land surveyor's license shall be examined; providing for the issuance of land surveyor's license to graduates of the Engineering Department of the State University and the Agricultural and Mechanical College without examination; providing for the revocation of land surveyor's license for certain causes and allowing appeals therefrom, etc., and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. Bryan and Mr. De Bogory:

H. B. No. 86, A bill to be entitled "An Act to amend Articles Nos. 5396 and 5397, Revised Civil Statutes of 1911, relating to the discovery and sale of excess acreage in school surveys and their alternate private surveys, and to include the discovery and sale of excess acreage in patented alternate surveys and in surveys located by virtue of certificates issued for the construction of railroads and other works whether such did or did not obligate the owner to locate a like amount of land for the State or school fund, etc., and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. McMillin, Mr. Seawright, and others:

H. B. No. 87, A bill to be entitled "An Act to create a State board, to be known as the State Board of Control; providing that the board shall be composed of the citizens of the State, and the method of their appointment; defining the method of qualifying such officers; fixing their terms of office and compensation; defining the duties and conferring authority on the board; prescribing in what manner the board may administer its department, and fixing the qualification and status of certain officers and employees to be appointed by the board in administering its affairs; abolishing certain offices and consolidating various departments of the government and placing the administering thereof under the State Board of Control; abolishing the offices and duties of the Board of Public Printing, State Expert Printer, State Purchasing Agent, Superintendent of Public Buildings and Grounds, State Inspector of Masonry, Public Buildings and Works, and the Boards of Managers of each

and all of the asylums of the State, including the Blind Asylum, the Deaf and Dumb Asylum, the Asylum for the Deaf, Dumb and Blind for Colored Youths, the State Colony for Feeble-Minded, Confederate Home, Confederate Woman's Home, State Epileptic Colony, Anti-Tuberculosis Colony, Home for Lepers, State Juvenile Training School and the Girls' Training School, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Thomason of El Paso:

H. B. No. 88, A bill to be entitled "An Act to amend Chapter 93 of the Acts of the Thirty-fifth Legislature, approved by the Governor March 26, 1917, and being 'An Act creating the El Paso County Court at Law; to fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the county court of El Paso county; fixing the salaries of the judges of the county court of El Paso county, and of the El Paso County Court at Law,' and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Terrell:

H. B. No. 89, A bill to be entitled "An Act to abolish the office of Assistant Attorney General of the State of Texas; providing that the Attorney General of this State shall perform the duties required of the Assistant Attorney General or designate one or more of his office assistants to perform such duties; prescribing the time for the taking effect of this act, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Pope:

H. B. No. 90, A bill to be entitled "An Act regulating the purchase of junk by persons engaged as junk dealers or in the junk business; providing for uniform affidavits of junk sellers, and for same to be kept in well bound book, subject to inspection of the public; providing punishment for the violation of same; defining the terms 'junk dealer' and 'junk business,' and repealing all laws in conflict with the provisions of this act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Laney, Mr. Davis of Dallas and Mr. Parks:

H. B. No. 91, A bill to be entitled

"An Act to amend Article 921, Chapter 5, Title 22, of the Revised Civil Statutes of Texas, relating to appeals from the corporation courts, and adding thereto Article 921a, providing that in cities of 90,000 or over incorporated under special charters and situated in counties containing one hundred and twenty thousand population, or over, for appeals from the corporation courts to the Court of Criminal Appeals of Texas, and declaring an emergency."

Referred to Committee on Municipal Corporations.

By Mr. Terrell, Mr. Yantis, Mr. Reeves, Mr. Smith of Hopkins and Mr. Bennette:

H. B. No. 92, A bill to be entitled "An Act to better provide for the location, establishment and construction of the hospital at Rusk, Texas, for the care, treatment and support of insane persons of the African race or African descent; and to better define the property of the State at Rusk, Texas, set aside for the use of the same; approving the sale of the iron industry situated on the property of the State at Rusk and of the necessary land; and authorizing the sale of the box factory there situated and the lease of the land used by the box factory for not more than twenty-five years and making an appropriation therefor and to reimburse the Prison Commission for funds in their hands appropriated herein, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Sackett:

H. B. No. 93, A bill to be entitled "An Act abolishing the office of Commissioner of Pensions, conferring all powers heretofore exercised by the Commissioner of Pensions under any existing laws of this State, upon the Comptroller of Public Accounts and annulling and repealing all appropriations for the Pension Department for the year 1918 and 1919, save and except the salary of the chief clerk of said department, in the sum of \$1500 per annum, which said appropriation shall be available for the use of the Comptroller of Public Accounts in the administration of the pension laws of this State, repealing all laws in conflict therewith and declaring an emergency."

Referred to Committee on Comptroller's and Treasurer's Accounts.

By Mr. Murphy, Mr. Nordhaus and Mr. Parks:

H. B. No. 94, A bill to be entitled

"An Act for the protection of the health, safety and comfort of the employes in factories, mills, workshops, mercantile establishments, laundries, or other establishments where women are employed, providing for proper temperature and ventilation for the protection of the health of the employes, requiring the removal of gas, affluvia or odors from places where employes are required to work and means to allay dust injurious to the health of persons employed, prohibiting decomposed or putrescent matter or refuse of any kind to be allowed to remain in or around such place of employment, providing for cleaning, sweeping and dusting outside of working hours, requiring doors used by employes as entrances or exits to open outward, prescribing the number of water closets, earth closets or privies to be supplied and requiring separate closets for males and females, requiring such closets to be kept clean and effectively disinfected and ventilated, authorizing the Commissioner of Labor Statistics or any of his deputies or inspectors to enter any factory, mill, workshop, mercantile establishment, laundry or other establishment for making inspection and enforcing the provisions of the act, authorizing the said Commissioner, his deputies or inspectors to issue an order for the correction of unsanitary or immoral conditions or neglect to remove fumes and gases injurious to employes where females are employed; in case of failure or refusal on the part of owner, superintendent, manager or other person in control or management of such establishment, giving the Commissioner of Labor Statistics, his deputies or inspectors power to close such establishment or any part of it until such time as said orders are complied with, providing how such powers may be exercised and providing a method for testing the validity, etc., of such orders, fixing penalties for violation of provisions of the act, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Tillotson:

H. B. No. 95, A bill to be entitled "An Act relating to the selection of depositories for State funds; providing the conditions under which additional depositories to those provided for under Title 44, Chapter 1, Revised Civil Statutes of Texas, 1911, may be selected, and which act is amendatory and cumulative of the provisions of said Chapter 1 of Title 44."

Referred to Committee on Banks and Banking.

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By Mr. Jones and Mr. Dodd:

H. B. No. 96, A bill to be entitled "An Act to amend House bill No. 820, which is Chapter 137 of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, approved March 28, 1917, creating a more efficient road system for Bowie county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Holland:

H. B. No. 97, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147-148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows."

Referred to Committee on Reforms in Civil Procedure.

ADJOURNMENT.

On motion of Mr. Yantis, the House, at 4 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF COMMITTEE ON JUDICIAL DISTRICTS.

Committee Room,

Austin, Texas March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred House bill No. 56, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do pass. Mr. Jones has been appointed to make a full report thereon.

TEMPLETON, Chairman.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

H. B. No. 49, A bill to be entitled "An Act to amend Article 657d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, prohibiting overlapping road

districts and requiring commissioners courts in case one road district conflicts with or overlaps another road district, to pass an order correctly redefining it; and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road district or road districts, and ratifying all regular and proper proceedings had with reference to bond issues therein, and declaring an emergency."

H. B. No. 48, A bill to be entitled "An Act to authorize the commissioners courts of the various counties of this State to pay for the services of interpreters employed by the various courts in this State, and providing for the collection in civil suits of the sum of three dollars (\$3) as cost of interpreter in every civil suit where an interpreter is used, and declaring an emergency,"

And find the same correctly engrossed.
COX of Bee, Chairman.

Committee Room,
Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 41, A bill to be entitled "An Act to provide for the teaching of lessons in patriotism in the public schools of this State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto."

And find the same correctly engrossed.
COX of Bee, Chairman.

Committee Room,
Austin, Texas, March 10, 1918.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 26, A bill to be entitled "An Act to amend Chapter 67 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, as amended by Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature and the same is hereby amended so that Sections 2, 3, 4 and 5 of said Chapter 31 shall be divided in seven sections, 2 3, 4, 5, 5a, 5b and 5c, reading as shown below; also by amending Section 9 of Chapter 31, so

that it will read as shown below, said sections as amended to be incorporated in and become a part of said Chapter 31,"

And find the same correctly engrossed.
COX of Bee, Chairman.

Committee Room,
Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 53, A bill to be entitled "An Act to create the Burkeville Independent School District in Newton county, Texas, etc., and declaring an emergency,"

H. B. No. 54, A bill to be entitled "An Act creating the Hutto Independent School District in Williamson county, Texas, etc., and declaring an emergency,"

And find the same correctly engrossed.
COX of Bee, Chairman.

REPORT OF COMMITTEE ON EDUCATION.

Committee Room,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 65, have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

REPORT OF SPECIAL COMMITTEE.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee, appointed to request the superintendent of the Blind Institute to have the children of said institution give a concert during the present session of the Legislature, beg leave to report that we have visited the institution and communicated said request to Dr. Bramlette and he expressed great appreciation, and stated that it would afford both him and the children great pleasure to comply with the request, and stated to your committee that he would fix the date and later notify the House of the time and place.

JONES,
TERRELL,
CLARK.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 31, "An Act to establish Common School District No. 19 in Dickens county, Texas, etc., and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:45 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,
Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 34, "An Act to amend Chapter 4 of the Laws of the Regular Session of the Thirty-third Legislature, so as to change the time of holding district court in the various counties of the Seventy-second Judicial District of Texas; declaring what counties shall compose same; attaching the unorganized counties of Hockley and Cochran to the county of Lubbock for judicial and all other purposes; making process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court as herein fixed, and form all grand and petit juries drawn to be returnable to the corresponding weeks of the terms as herein defined, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:54 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 18, "An Act authorizing counties, acting through their commissioners courts, to purchase seed to be planted on farms in such counties by residents thereof, who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and

conditions, rules and regulations by which such seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1918 are collected; conferring certain powers and prescribing certain duties relative to the administration of this act, on the commissioners courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this act may obtain seed and feed hereunder, and providing for the payment therefor by such persons; conferring certain power and authority upon the county tax collectors and county attorneys relative to the administration of this act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed, and the distribution of same hereunder, and the terms and conditions thereof; prescribing certain duties for the Governor of Texas, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas relative to the administration of this act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this act, and providing punishment therefor; stating when operation may be commenced under this act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this act, in the sum of two million dollars, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:54 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,
Austin, Texas, March 10, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 13, "An Act to prohibit the purchase or procuring for, or the sale, gift, or delivery to, any person engaged or enlisted in the military or

naval forces of the United States, or any person engaged or enlisted in the military or naval forces of any of the associates of the United States in the present war with Germany, of any spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication; prescribing a penalty for the violation of this act, and declaring an emergency."

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:54 o'clock a. m., presented same to the Governor for his approval.
McCOY, Chairman.

JOINT REPORT OF CENTRAL INVESTIGATING COMMITTEE APPOINTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTY-FIFTH LEGISLATURE.

Hon. W. P. Hobby, Governor; Hon. W. A. Johnson, President of the Senate; Hon. F. O. Fuller, Speaker of the House of Representatives:

We, your committee, appointed by the Senate and House of Representatives of the Thirty-fifth Legislature, working together jointly, under the resolutions of the Senate and the House, beg leave to submit the following report for your consideration:

We have thoroughly investigated the various departments and institutions of the State Government and have found the facts herein stated to exist, upon which we base the following recommendations:

Legislative Department.

An investigation of the affairs of the Legislature disclosed a lack of proper system of bookkeeping, the printing of more journals than are used, the payment of excessive prices for material and the employment in the Senate of a mailing clerk and assistants and a notarial clerk and assistant that are not deemed necessary.

It is recommended:

1. That books be kept in each house, showing the amount of stamps and supplies purchased and the amount disbursed and to whom disbursed.
2. That no stamps be disbursed except to members and officers of the two houses.
3. That not exceeding one thousand

or twelve hundred journals be printed in the Senate and not exceeding fifteen hundred journals be printed in the House, unless it develops that more are needed.

4. That fifty copies of each day's journal be delivered to the State Library.

5. That the Sergeant-at-Arms of each house be careful in buying supplies, to order only such as are included in the State contract.

6. That the positions of mailing clerk and the several assistants and of notarial clerk in the Senate be dispensed with. This will result in a saving to the Senate of \$900 a month, and it is thought that the other recommendations will result in a material saving to the State.

Executive Department.

Governor's Office.

An examination has been made and we find that the abuses recently complained of in that office, with which the public is already familiar, no longer exist, and we believe that the installation of a complete auditing system, such as herein-after recommended, would make impossible a repetition of these abuses.

Lieutenant Governor's Office.

The only functions of the Lieutenant Governor being to preside over the deliberations of the Senate when in session, and to act as Governor when the Governor is sick, absent from the State, or unable to serve, your committee has only to report that the office has been filled, its functions properly performed; and hence we have no recommendations to make.

Secretary of State's Office.

The books of this department have been carefully audited. Several errors in bookkeeping were discovered, but the only error of importance was one in which the State lost the use of approximately \$10,000 since 1915, the books of the Secretary of State showing that \$100 was deposited in bank, when in fact there was \$10,000 deposited. This was an inexcusable error in bookkeeping, but this amount, which has remained in the bank since 1915, has been turned into the State Treasury as a result of our audit.

Under the previous administration, we think the Secretary of State is highly censurable for having, in violation of the

law, deposited large sums of State funds with certain banks in the State. Under the depositary law, which is hereinafter recommended, we believe a repetition of those abuses will be eliminated.

The committee found an accumulated mass of Revised Civil and Criminal Statutes, journals, etc., now in the basement of the Secretary of State's Department, which are in bad condition; also a large accumulation of the Acts of the Legislature, and we recommend that authority be given to the Secretary of State to dispose of the surplus sets of Revised Civil and Criminal Statutes, at a price of \$2.50 per set, and make such disposal of useless documents and publications as he may deem wise, any proceeds therefrom to be placed in the State Treasury.

Comptroller's Department.

Your committee has made a careful investigation and a partial survey, together with the full audit of the Comptroller's Department. We find the several bureaus of this department are being administered, at the present time, in an efficient manner. Our investigation discloses, however, that the records of several of the bureaus of this department have been in the hands of incompetent employes. This has brought delay and confusion to the department. We believe that the present clerical force is quite sufficient to discharge all the duties of that department, and we find them, with a few exceptions, to be efficient in their respective lines of duty.

We have concluded that the practice of issuing separate warrants to each individual on the pay rolls of the various State departments and institutions in lieu of one to cover the entire pay roll of each department or institution, is without compensatory advantage to the State, although the work has been increased manifold by reason of the change.

We submit the following recommendations:

1. The enactment of a law creating a stamp department for all State departments located in the State Capitol and Land Office Buildings and that all outgoing mail be passed through such department for attachment of postage and accounting.

2. That the Legislature make provision to set aside that portion of the basement below and contiguous to the redemption room in the Comptroller's Department, and to equip same so that

the same may be used as a store-room for the reception of the inactive records now in the redemption and tax divisions of the Comptroller's Department.

3. That the tax division and the redemption division of said Comptroller's Department be consolidated under one supervising manager, who shall look after and supervise the work now transacted by both divisions.

4. That laws be enacted so as to require all State departments collecting money for the State to clear their collections through the State Treasury and prescribe a sufficient penalty for failure to so handle the State's money.

5. That all claims against the State shall be promptly verified, audited and approved by proper officials before the same shall be passed or vouchered for payment. We find that quite a number of claims were passed without proper verification.

6. That the law be so amended as to give the Comptroller greater latitude in the audit of all claims now being audited and paid through the sheriff's division of said department.

7. That the laws be so amended as to put into operation the recommendations we hereinafter make with reference to the Pension, Revenue and Tax Board Departments being transferred to said Comptroller's Department.

8. That adequate laws be passed so as to protect as nearly as possible the appropriations made for traveling expenses and to provide a better system of accounting for such expenditures, etc. (See general recommendations.)

Your committee believes that the above recommendations, if adopted, would tend to increase the efficiency and simplify the work of this department.

For more detailed information as to our investigation, reference is made to the report of Subcommittee No. 6, to whom was assigned the investigation of this department.

State Treasury Department.

An investigation of the State Treasury Department developed:

1. That the particular itemization of the appropriation bill made it necessary for this department to keep many hundred accounts and issue many thousand warrants, each of which must be handled seven or eight times, which was not necessary under former appropriation bills, thereby entailing much additional work on the department.

2. That there are some forty-five spe-

cial funds carried in the Treasury which would otherwise be available if such funds were deposited in the general revenue and vouchers drawn against the special accounts paid out of the general revenue.

3. That there is no showing furnished as to the source of any of these special funds.

4. That there is no showing as to the use that is made of the penitentiary fund and the pure feed fund at the Agricultural and Mechanical College.

5. That there are many million dollars' worth of bonds in the State Treasury which vary in size and form, resulting in loss of space and time in handling same.

6. That the State Treasurer does not make, and it does not seem practicable to make, a monthly report of unpaid warrants to the Comptroller.

7. That there was a check on every fund in the department by some other institution or department, except the gross receipts tax funds, and an arrangement has been made by which the Comptroller's Department will keep a check on such funds.

8. That there has been an average of upward of four million dollars in the Treasury during the past year.

It is recommended:

1. That in the future the various departments and institutions present the aggregate amount of its pay roll and that but one voucher be drawn to cover such expenditure.

2. That certain special funds be placed into the general revenue, and any items that should be paid therefrom be paid from the general fund.

3. That all deposits of special funds be accompanied by a statement showing the origin thereof, and that all drafts thereon show the purpose for which same are drawn.

4. That the law requiring monthly reports of unpaid warrants to be made to the Comptroller be amended.

5. That all bonds in which State funds may be invested be required to be of uniform size and form.

6. It appears that the State Treasurer has borrowed certain sums of money from Austin banks at a very low rate of interest, and although it is not charged that these transactions were dishonest, the practice is subject to criticism and should be discontinued.

Tax Commissioner's Department.

Your committee finds that the State Tax Board has not met the full require-

ments of the statutes that created this board; its particular work has been to administer the intangible asset laws. By transferring the administration of the intangible asset laws to the Railroad Commission and the Comptroller's Department, it can be administered without additional expense, thus saving the State the entire expense now incurred in the support of the State Tax Board and the State Tax Commissioner's office, amounting to \$4,544.00 annually.

The Railroad Commission is the logical agency in the State to determine the intangible values of the railroads, as well as other properties mentioned in this act; the Comptroller's Department is the proper agency of the State to certify these values to the several tax assessors of the State. For these reasons we have recommended the abolishment of the State Tax Board and that the duties now assigned this board be distributed between the Railroad Commission and the Comptroller's Department. Should the State Tax Board be abolished, we see no further duties that would justify the retention of the State Tax Commissioner. Therefore we recommend the abolishment of this office.

We further recommend that the furniture and fixtures now in the office of the Tax Commissioner be transferred to the Railroad Commission and the Comptroller's Department for their use in administering the intangible asset laws.

If our recommendations, as above outlined, are enacted into law, we estimate that there will be a saving to the State of \$4,544.00 annually.

Land Office.

1. We find that it was the intention of the Constitution that the Land Office should be self-supporting, but we find that the fees now prescribed by law are insufficient to make it self-supporting. We therefore recommend the revision of the Land Office fee bill as to fees for certificates, examining records, lease contracts, maps, plats, etc., so as to make it as nearly self-supporting as possible.

2. We find that the Thirty-fourth Legislature passed a law permitting the sale of school lands in certain parts of West Texas without making settlement thereon and requiring one-tenth of the purchase money to be paid in advance. We believe the land is not being sold as quickly as it otherwise would be if the first payment required was less than one-tenth. We, therefore, recommend that instead of requiring one-tenth of the purchase money in non-settlement counties, the law be

amended so as to require one-fortieth of the purchase price.

3. We find that the present law only authorizes the Land Commissioner to deliver patents to the record owners of the land. We recommend that this law be so changed as to require the Land Commissioner to issue all patents in the name of the original grantee and forward same to the county clerk for record, in the county in which the land is situated, to be delivered by him to the owner.

4. We find that the law now permits the Land Commissioner to make transfer of subdivisions of sections of school lands in multiples of forty acres only. We recommend that the law be so changed as to permit transfer of school lands in any number of acres exceeding forty.

5. We find that the Spanish records in the Land Office are becoming old and worn. We, therefore, recommend that the Spanish translator transcribe into English, into proper records, the old and worn Spanish land title records.

6. We find that there are large bodies of University lands, situated in various counties in West Texas, which, under the management of the Regents of the University, is not permitted to be sold. No taxes, either State or county, can be collected from said lands while owned by the University. We, therefore, recommend, as a wise State policy, that these lands be placed under the Land Commissioner for sale, in the manner now prescribed for school lands, as the leases expire.

7. We find that in West and Northwest Texas large tracts of land as originally surveyed contain excess acreage. Many of these surveys have been patented, the field notes calling for 1900 varas square or 640 acres only. In some instances large bodies of land have been resurveyed and the excess acreage in said tract divided among the sections comprising said body. The present law authorizes the Land Commissioner to require the owner of school lands to pay for this excess acreage before he will issue patents thereon; but the State has never collected anything for any excess acreage in the private surveys. Many sections of school lands have been sold, in accordance with the resurvey of said land. If said bodies or tracts of land should be resurveyed, according to the call of the field notes, there would be found to exist in the body or tracts of land an excess at one end or side of said tract, and in as much as many of the private surveys, together with the excess, have been sold

to innocent purchasers, homes have been built and roads established in accordance with the resurvey, the school lands purchased and paid for in accordance therewith, we do not deem it wise now to disturb said surveys. We, therefore recommend that the land laws be so amended, by proper legislation, to authorize the Land Commissioner to dispose of all excess acreage in private surveys to the owner upon a fair basis, authorizing the change of field notes within or without the original boundaries of the original surveys, in the proper manner, so as not to interfere with vested rights and in proper cases to eliminate excess from private patented surveys, when the owners refuse to either pay for the excess acreage or refuse to make proper adjustment of the boundary.

8. We find that the fees now prescribed by statute to county surveyors is often insufficient to obtain competent county surveyors. We, therefore, recommend that a law be passed authorizing surveyors to be examined by proper authority, and those passing the required examination to be given a license authorizing them to survey in any part of the State. This law to be cumulative of the law now authorizing county surveyors.

We think that \$25,000 per annum could be saved the State by carrying out the foregoing recommendations, outside of what might be obtained from the excess acreage of lands, which we are unable to estimate.

Attorney General's Department.

The committee made an audit of the receipts and disbursements of this office from January 1, 1913, to August 31, 1917. The total amount of fines and penalties collected during this time is \$1,078,647.13, and the department has expended the sum of \$246,666.

It has been the long established custom of this department to collect the costs from the adverse party in interest and reimburse the fund so appropriated by the Legislature for the purpose of law enforcement, and in this manner the fund so appropriated is supplemented to the extent that it was depleted by reason of the amount expended in prosecuting the particular suit. Experience has shown the unwisdom of this practice as a policy of State government, and the committee recommends that all costs collected from prosecutions by this department be paid into the general revenue of the State Treasury.

Investigation of this, as in other departments, disclosed a lack of uniformity in the keeping of expense accounts, and hence appropriate legislation is hereinafter recommended to remedy the complaint.

The Attorney General is without authority to compel the attendance of witnesses in civil actions, where the State is an interested party, and the committee recommends appropriate legislation, providing for compulsory attendance, and the payment of witness fees on the same basis as now paid to out-county witnesses in criminal actions.

G. F. Cotter, now deceased, was appointed receiver of the Texas-Mexican Railroad and held that position for one day. He made claim to the State for expenses incurred as such receiver, and the Attorney General's Department approved the claim for the sum of \$299, and voucher was delivered and cashed by him. The Texas-Mexican Railroad Company also paid this identical account. The amount is justly due the State, and we recommend that the Attorney General be instructed to bring suit against the estate of George F. Cotter, deceased, for the amount.

The Attorney General and his able assistants are to be highly commended for the diligence used in prosecuting violations of the anti-trust laws and for otherwise so ably representing the State when the State's interests were at stake and their services needed.

Assistant Attorney General.

The Assistant Attorney General, a statutory officer, is appointed by the Governor and his work is confined in practice to representing the State before the Court of Criminal Appeals, he being required to brief all cases appealed to this court.

It is recommended that the county or district attorney of the county from which the appeal is taken be required to brief the case; that the office of Assistant Attorney General be abolished and the presentation of the appealed cases be made to the Court of Criminal Appeals by the Attorney General or under his direction.

The abolishment of this office will result in saving the salary of this officer and his assistant, amounting to approximately \$5000 annually.

The Judiciary.

1. We find that the fees received by the different clerks of the Courts of

Civil Appeals vary largely in amount, when the work to be done by said clerks is about the same in each court. We, therefore, recommend that the fees collected by said clerks be turned into the Treasury, and that said clerks be paid a salary.

2. We find that it is the custom of the various clerks of the different appellate courts to send out opinions to attorneys, without receiving payment in advance therefor. While most of the attorneys promptly remit for such opinions, some of them fail to remit altogether, and this is a loss to the State. We, therefore, recommend that the clerks of the various courts require fees to be paid in advance for the opinion of the court and other matters for which the clerks are required to charge a fee.

3. We find that the opinions filed in each case, decided by the appellate courts, are reported by a court reporter and are published. We, therefore, recommend that the decisions of the various appellate courts be not entered in the judgment record, but filed and reported as now required by law.

4. We find that it would be best to have one large Supreme Court sitting in divisions, rather than so many Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals as now organized, and therefore recommend:

(a) That we have one Supreme Court to consist of fifteen members, which may be increased or diminished by law and which may divide itself into sections or divisions, each one to be a working body as may be prescribed by the rules promulgated by the court en banc, and such other courts as may be provided by law, the Supreme Court to exercise jurisdiction in the manner prescribed by law, coextensive with the limits of the State.

(b) The jury and grand jury system remain as it is under the present Constitution, except that provision be made that the jurors in superior courts, passing upon matters involving small sums or small property values shall consist of six men.

5. We find that it would be better to divide the State into as many districts as there are members of the Supreme Court and that one member of the Supreme Court be elected from each of said districts. We, therefore, recommend that the State be divided into supreme districts and that one member of the Supreme Court be elected from each of said supreme districts.

6. Inasmuch as the changes above recommended cannot be made in the Judiciary unless the Constitution is changed, we, therefore, recommend that a constitutional convention be called in order that the judiciary article may be revised; but, in case this is not done, we recommend a constitutional amendment to be submitted to the people at a time when no other constitutional amendment is submitted, which will permit the inauguration of the changes herein suggested.

With reference to this amendment, we wish to emphasize the point that by reason of our limited and feeble ability to foresee all future contingencies, any constitutional amendment with reference to the Judiciary should be so framed that it would permit the adoption of any system that might be thought best, without the cumbersome obstacle of again amending the Constitution.

7. We find as a fact that the Supreme Court is now several years behind in its work, and for temporary relief of said court, we recommend that commissions be formed to which could be assigned cases now pending before the Supreme Court for its consideration and determination and that the decision of said commission should be adopted by the Supreme Court, opinions, however, not to be published. These commissions should consist of at least two divisions, working independently of each other and each division consisting of three judges. It is recommended, however, that this arrangement be temporary in relieving the docket of the Supreme Court, and that the members of said commissions be appointed by the Chief Justice of the Supreme Court.

As a further relief for the Supreme Court, we recommend that its appellate jurisdiction be restricted to those articles specified in the Constitution; that is, the appellate jurisdiction of the Supreme Court should extend only to questions of law arising in the cases in the Courts of Civil Appeals, in which the judges of any Court of Civil Appeals may disagree, or where the several Courts of Civil Appeals may hold differently on the same question of law, or where a statute of the State is held void.

Trial Courts.

There should be no term in trial courts, and delays incident to terms should be overcome by permitting a continuous session at all times. The

average county in Texas could well maintain one trial judge to dispose of all matters of a judicial nature in a particular county. This judge might be designated as a superior judge. In counties of larger population, several of these judges could be maintained, while in counties of smaller population several counties could join in one judicial district, and the court preside in each particular county as business accumulated for trial. This court should have jurisdiction over all matters above the jurisdiction of the justice court.

The duties now performed by the county judge with reference to the finances of the county should be transacted by the commissioners court under the direction of a commissioner as the presiding officer elected from the county at large. The superior judges should be permitted to interchange districts in a very elastic manner and an interchange should be permitted when an affidavit is filed by any person who is a party to any case, that he is of the opinion that he can not get justice at the hands of a particular judge.

University of Texas.

The University of Texas is composed of the Main University, located at Austin, the Medical Department, located at Galveston, and the State School of Mines, located at El Paso, and they are separately reported on, as follows:

Main University.

The physical plant of the Main University consists of forty acres of land in Austin, on which are nine brick buildings from one to five stories in height, and twelve frame buildings, all of which are inventoried at \$1,319,901.07. The campus is too small and more land will soon be needed.

The dormitory facilities accommodate eighty girls and one hundred and twenty-five boys, and it is recommended that in any building program the matter of dormitory facilities be given consideration.

The University endowment consists of 2,079,520 acres of land, bonds of the State amounting to \$625,000 and also land notes aggregating \$25,381.46. The University has also received various donations of importance, to wit: one, the conditional gift of 503 acres of land near the city of Austin, donated by Hon. George W. Brackenridge of San Antonio; another fund for Southern History, donated by Hon. George W. Littlefield of Austin, amounting to \$25,000,

and various other donations aggregating approximately \$40,000.

The University received for the year ending August 31, 1917, from leases on lands and interest on land sales, \$187,598.56; interest on bonds, \$21,586; students' fees and fines, etc., \$21,523.60, aggregating a total of \$230,780.16, which, added to the legislative appropriation for the year, gave a total of \$960,611.26.

The auditorium at the University has been condemned by the Fire Marshal, and the estimated cost of providing proper fire protection is \$28,000. If practicable, it is recommended that the auditorium be repaired, as it will probably be some years before a new building can be secured.

The investigation discloses that the custom prevailing in other universities, and formerly permitted to some extent in the University of Texas, of granting leave of absence on full pay or part pay, has been discontinued, as has also the policy formerly sanctioned of allowing members of the faculty to accept special compensation for lectures or addresses delivered to student groups or public audiences; and the committee has further strongly recommended the discontinuance of permission to members of the University faculty to accept outside employment.

The committee finds that formerly the University extension work embraced eight divisions, which have been reduced during the present year to five, and the recommendation has been made that the legitimate field for University extension activities lies in carrying the work conducted by the institution to the people in such popular form as its correspondence courses and otherwise.

It is recommended that the Constitution be so amended as to provide for the separation of the University of Texas and the the Agricultural and Mechanical College and its branches and that the University lands be sold and the proceeds divided so as to award to the University two-thirds thereof and to the Agricultural and Mechanical College one-third thereof, with the provision that the Prairie View Normal and Industrial College shall receive an equitable division of the one-third allotted to the Agricultural and Mechanical College.

This amendment should fix the separate identities of the University and its several branches, namely, the State School of Mines, the Medical College at Galveston, the Agricultural and Mechan-

ical College, the Prairie View Normal and Industrial College, and also that of the College of Industrial Arts; defining the general character of work in each institution; and providing for the sale of the lands now belonging to the University permanent fund and the removal of the constitutional inhibition against appropriations for buildings at the University and the Prairie View Normal and Industrial College.

It is further recommended:

1. That a plan be devised for inventorying State property at present value.
2. That the positions of business manager and auditor at the University be combined.
3. That no member of the faculty in future accept outside employment.
4. That graduate work be developed in the University.
5. That the law be amended so as to prescribe the mode of removal of members of the Board of Regents.

The Medical Department.

This institution has an enrollment of 325 students. The plant consists of one college building, a University hall and six buildings comprising the hospital group. The cost of maintenance for the year ending August 31, 1916, was \$83,360.74. The institution is one of the most efficiently organized medical colleges in the country.

The John Sealy Hospital, which is operated by the city of Galveston, in connection with the Medical College, consists of six buildings valued at \$706,000. The city of Galveston is under contract to maintain the John Sealy Hospital, but is unable on account of misfortune and high tax rates to contribute more than \$40,000 for this purpose, and as that is not enough by about \$25,000 to maintain the institution, it is recommended that the State provide an annual appropriation of \$25,000 towards the maintenance of this institution.

A new fireproof laboratory and some additions to the Nurses' Home are badly needed, and the management of the College recommends the construction of an additional hospital building.

It is recommended that a dental department be established in connection with the College as soon as practicable after 1918.

It is also recommended by the faculty that a psychopathic ward be established, and the committee suggests the advisability of considering the construction

of a building in connection with the Medical College to be used as a detention hospital for those declared mentally unsound.

State School of Mines.

This institution is located in El Paso, the center of the greatest mining district of the Southwest, which is an exceptionally fine location for a school of this character. The plant of this institution consists of five buildings; the main building, the chemistry building, the dormitory, the powerhouse and the mill, all fireproof. The equipment is new, complete and up to date. The enrollment is eighty students, seventy of whom are from Texas.

The committee recommends that the act creating the School of Mines be revised, clearly defining the institution as a department of the University, determining its general activities and expressly vesting the Board of Regents with full administrative control. The arrangement effected between the School of Mines and the city of El Paso by which a municipal college called the "College of the City of El Paso" has been established, placing the institution in the junior college class and which imposes no additional expense upon the School of Mines, but brings it a student body likely to prove beneficial, is endorsed.

In the beginning of the present session the Board of Regents unlawfully raised the salaries of the president, teachers and other employes in the University, in the aggregate of about \$45,000, of which \$26,500 was to be paid out of the appropriation made by the Legislature for contingent expenses and salary adjustments, and about \$19,000 was to be paid out of the available funds of the University, which action was founded upon the recommendation of President Vinson.

It is recommended that all funds used to increase the salaries of the president, teachers and other employes in the University and its branches in excess of the maximum amounts stipulated in the appropriation bill for such salaries, be returned to the State Treasury, and that the practice of paying such excess amounts be immediately discontinued.

The College of Industrial Arts.

This institution, the State college for women, is located at Denton, and has two instructional buildings, two large dormitories completed and two more under construction, with hospital, demonstration cottage, heating plant, laundry,

dairy, canning factory and other buildings, and is well located on a beautiful tract of land.

The College has an enrollment of about 1250 girls. It teaches all the practical and industrial branches for women, as well as the arts and sciences, and vocational branches. Dormitory facilities are inadequate and should be increased, and other improvements provided when the public purse will permit. The per capita cost in the College is low, and has been reduced from \$116 in 1914-15, to \$97.7 per capita in 1916-17. The salaries of the teachers are low, and the College has lost excellent teachers because other institutions offered better salaries.

The Agricultural and Mechanical College.

The Agricultural and Mechanical College may be said to comprise three distinct divisions of agricultural activities; the teaching of agricultural sciences and the mechanical arts, scientific research and investigation in agriculture, and field demonstration in agricultural production and agricultural engineering through the extension department. There are five administrative divisions in the College: The School of Agriculture, the School of Engineering, the School of Veterinary Medicine, the Main Experimental Station with thirteen correlated substations, and the Agricultural Extension Service now conducted in cooperation with the United States Department of Agriculture.

The plant of the College located at College Station is valued at approximately two and three-fourths million dollars. During the year ending August 31, 1917, from appropriations of \$805,066.50 the institution increased the amount invested in improvements by \$524,667.50, leaving as a maintenance cost for the year the sum of \$280,399 from the State and \$124,250.73 appropriated by the Federal government, or a total for the year of \$404,694.73.

The enrollment at the College for the current year is 1108 students, of whom 557 are agricultural students. The College has a teaching staff of 102. The salaries of the faculty are comparatively low, the average being approximately \$2000 per annum. The \$10,000 carried in the last appropriation bill for the contingent expenses and salary adjustments was used to add to the pay of those receiving the smaller salaries.

The College has three thousand acres of land, but will soon need more territory.

The agricultural experiment work is carried on through the Main Experimental Station, in connection with its thirteen substations distributed over the State.

The committee recommends that to co-ordinate the work of the Main Experimental Station and the substations better and to constitute all experimental station work a unified part of the College the substation board be abolished and the duties of such board devolved upon the Board of Directors of the Agricultural and Mechanical College.

The committee recommends that the Agricultural extension work of the College, now being performed in connection with the Department of Agriculture of the United States, be given such consideration as the demands of this State require as one of the great agricultural States in the Union, to the end that Texas may co-operate with the nation in developing agricultural science and better agricultural methods. The county demonstration plan of the State and Federal extension service is approved, with a caution against the danger of imposing upon it too many special agents.

The question of additional agricultural colleges has received much thought of late, but great as Texas is we do not feel that the sentiment for increased vocational instruction should ever be interpreted to mean the creation of another Agricultural and Mechanical College giving like complete courses of instruction and education in the arts and sciences. The thorough equipment for instruction in engineering studies at the University affords, with that of the Agricultural and Mechanical College, all the facilities likely to be required for vocational instruction in the engineering branches. It is recommended that a liberal building program for the College should be provided.

It is recommended that funds used for the increase of salaries of any person or persons employed at this institution in any capacity, in excess of the maximum amount stipulated in the appropriation bill for such salaries be returned to the State and that this practice be immediately discontinued.

Prairie View Normal and Industrial College.

This institution for the training of colored teachers and for the education of colored students in the agricultural and mechanical arts is located at Prairie View, Texas, and comprises the

divisions of normal arts, household arts, rural arts, and mechanical arts.

The plant of the institution consists of 1435 acres of land with \$259,000 worth of buildings. The expenses of the institution for the year ending August 31, 1917, was \$182,589, of which \$116,974.23 was derived from the board of students, interest and profit from book store. The institution has thirty-seven teachers and forty officers and employees. The enrollment for the current year is 895. The institution seems to be doing a great work for the negro race. It is recommended that the work of the normal and the agricultural courses be stressed.

The John Tarlton Agricultural College.

This institution is located at Stephenville, and its plant consists of a forty-acre college campus upon which are four buildings, and in addition there is a 500-acre tract of land and a \$75,000 endowment fund to be used as a students' loan fund.

The main building and the girls' dormitory are in need of repairs and there should also be installed a central heating and lighting plant. Most of the students of this institution are from Erath county, and more than one-half from the city of Stephenville.

The committee recommends that the \$75,000 loan fund, now idle, be invested in such securities as would yield a reasonable rate of interest.

The Grubbs Vocational College at Arlington.

This school was created by the Thirty-fifth Legislature by the State taking over the old Carlisle Military Academy, which consists of sixteen acres of land upon which is located a two-story dormitory for women, an arts hall, a mess hall, an administration hall, and one residence, all frame structures, and a brick barracks for men.

The women's dormitory and the men's barracks will accommodate about eighty students. The institution owns 100 acres of land west of Arlington. The value of the entire plant is estimated at \$100,000. The Legislature appropriated \$100,000 for the erection of the main building, which is now available. The institution has sixty-two students, most of whom reside in Arlington.

The Legislature appropriated for this institution \$164,000 for the current year and \$62,000 for next year. It does not appear to your committee that the State

would be justified in maintaining this institution, and it is recommended that the law creating the same be repealed and the property restored to the donors and the institution abandoned. It further recommends that the board of directors do not enter into any contract for the construction of improvements until this recommendation is acted upon by the Legislature.

The State Normals.

The State Normal Colleges are the Sam Houston Normal Institute at Huntsville, the North Texas State Normal College at Denton, the Southwest Texas State Normal School at San Marcos, the West Texas State Normal College at Canyon, and the East Texas Normal College at Commerce. These institutions are under the State Normal School Board of Regents.

The Sam Houston Normal Institute has 447 students and 39 teachers; the North Texas State Normal College has 1061 students and 58 teachers; the Southwest Texas Normal School has 530 students and 40 teachers; the West Texas Normal College has 340 students and 38 teachers; the East Texas Normal College has 147 students and 24 teachers, these figures being based upon the enrollment before Christmas, 1917.

These colleges are engaged in the training of teachers for the public schools of Texas, and students doing satisfactory work receive a teacher's certificate of the grade to which they are entitled. Their regular course consists of two years of high school work, and two years of college work, ranking the institutions as junior colleges. Those who finish the two years of college work receive a diploma having the force of a permanent teacher's certificate.

As many of the high schools of Texas were demanding that their teachers should have a degree, it was thought to be necessary for the normals, in order to satisfy this demand, to add to the course of study additional work leading to the bachelor's degree in education, and the Board of Regents directed that this work be added. The work is now being conducted at the North Texas State Normal College, at the Southwest Texas Normal School and at the East Texas Normal College. At present there are not many students in either of the institutions doing this grade of work, and it is the opinion of your committee that this advance work should be confined to one or two of the normals to be

selected by the Board of Regents, until the experiment has proved to be a success.

The Board of Regents, in violation of the law, raised the salaries of the presidents of the five normals and certain teachers out of the fund provided for contingent expenses, salary adjustments, etc., and it is recommended that all funds used to increase the salaries of the presidents, teachers and other employees of the State Normal Schools in excess of the maximum amounts stipulated in the appropriation bill for such salaries, be returned to the State, and the practice of paying such excess amounts be discontinued.

New Normals.

Our investigation developed that no necessity exists at the present time for more normal colleges than those now in operation. We, therefore, recommend that Acts of the Thirty-fifth Legislature creating certain normal schools, the building of which was postponed by the last Called Session of the Legislature, be repealed and that said schools be not established.

Purchases for Educational Institutions.

Investigation developed that the University, the Agricultural and Mechanical College, the College of Industrial Arts, and the State Normal Colleges are frequently inconvenienced and hindered on account of having to purchase their technical and scientific supplies and equipment through the State Purchasing Agent, and that the administrative officers of such institutions are more capable of purchasing such articles than the Purchasing Agent. It is therefore recommended that said institutions be required only to buy such articles as fuel through the State Purchasing Agent, and that they buy the technical and scientific supplies and equipment without consulting the State Purchasing Agent.

Duplication of Work in Our Educational Institutions.

While there is much talk of duplication of work in our educational institutions, there, in fact, exists very little unnecessary duplication, for it is not believed that duplication in general subjects is unnecessary duplication, but only in case where two institutions major on the same subject is duplication regarded as unnecessary.

This condition might be thought by

some to exist in the engineering departments of the University and the Agricultural and Mechanical College, as each institution has a fully equipped engineering department; but taking into consideration the size of the State, such duplication is not regarded as objectionable. There has been some duplication in agricultural extension work between the extension department of the Agricultural and Mechanical College and the State Department of Agriculture. It is believed and recommended that the service of an administrative character should in all instances be conducted by the executive branch of the State Government to which it naturally belongs, and that the work of an educational character should be conducted by the educational institutions to which it properly belongs.

All agricultural service of an administrative character should be conducted by the State Department of Agriculture, while all agricultural extension work of an educational character should be conducted under the extension department of the Agricultural and Mechanical College and the extension department of the College of Industrial Arts, and the State Department of Agriculture should in no sense do work of an educational character.

Under the provisions of the Smith-Hughes Act of Congress, making available certain funds for the three classes of extension work embraced in agricultural, home economics and vocational trades, the funds available should be assigned for agriculture to the use of that institution which teaches agriculture as a vocation and is the recognized agency of the State for agricultural extension and instruction in rural economics; and that part of the fund available for the promotion of the study of home economics should be spent by and under the direction of the College of Industrial Arts.

Department of Education.

This department is one of the most important in our government. The administrative division has charge of all questions of law and policy, and has jurisdiction of appeals from the county superintendents.

The division of high schools has charge of the establishment, classification and affiliation of high schools. The work of affiliating high schools was formerly done by the University, but it being an administrative function, has, as we think, wisely been transferred to

to State Department of Education, to be conducted in accordance with the recommendations of a committee composed of a representative from the Department of Education, the University of Texas and the Agricultural and Mechanical College, the College of Industrial Arts, and one representative from the State Normal Schools to be chosen by the heads of the Normal Colleges.

The division of certification has charge of the issuance of teachers' certificates.

We recommend:

1. That the law be amended so as to prescribe rules to suit modern conditions, and to prescribe the qualifications of members of the board of examiners and providing for their payment out of the general revenue.

2. That all fees collected should be paid into the general revenue.

3. That a new depository law for handling such funds be passed.

State Library.

Texas Library and Historical Commission.

State Library and Legislative Reference Library.

The Texas Library and Historical Commission acts as a Board of Directors for the State Library and the Legislative Reference Library. The two divisions of the Library are operating together and have about 37,000 volumes treating many subjects. A great bulk of State and historical papers are in the basement of the Capitol, which should be classified and copies made of many of them. One party is now, and has been for about three years, engaged at this work, but little progress has been made. The Commission does not give the Library the attention and advice that it might. There are several books and periodicals concerning Germany in the Library. The State Librarian is a teacher by profession, and had no previous library experience when chosen.

It is recommended:

1. That all books and periodicals of recent date, either directly or indirectly extolling the greatness of Germany, be immediately destroyed or securely boxed and put out of the way until after the war.

2. That an information desk be established near the entrance to the Library.

3. That name plates be placed under the historic pictures on the wall.

4. That the Commission give closer attention to the Library and not extend its functions at this time.

5. That in the future only such persons be selected as Librarian as have had sufficient library experience as is required by law, and that the resignation of the State Librarian, who has not had such experience, be requested.

Department of Agriculture.

This department has eight divisions besides the office force, which consists of eleven employes and the Commissioner.

The division of institutes, which is doing extension work in agricultural methods, terracing, home economics and canning clubs.

The division of nursery inspection.

The division of markets.

The division of entomologist.

The division of live stock man, who is encouraging dairying in cities.

The division of edible nuts, which is teaching pecan culture.

The division of plant pathologist, who gives instruction in regard to plant diseases.

The department has fifty-two employes. The total expenditures of this department for the year ending August 31, 1917, was \$104,747.61.

The nursery inspector is co-operating with the Federal Department of Agriculture in destroying citrus canker.

The bookkeeping system of the department is bad, but the books are accurately kept.

We recommend:

1. That the divisions of plant pathology, edible nuts, and live stock and institute work be abolished, such functions now being performed by the extension department of the Agricultural and Mechanical College, which will effect a saving of \$60,000 per annum.

2. That the foul brood control should be transferred from the Agricultural and Mechanical College to the bureau of entomology in the Department of Agriculture, which will effect a saving of \$5,000 annually.

3. That the pure feed control service be transferred from the Agricultural and Mechanical College to the bureau of markets of the Department of Agriculture, which will effect a saving of \$20,000 per annum.

4. That the Warehouse and Market-

ing Department and the Live Stock Sanitary Commission be transferred to the Agricultural Department, and operated as bureaus under such department, each of which shall be directed by a single head appointed by the Commissioner of Agriculture.

The Board of Water Engineers.

The Board of Water Engineers and the Reclamation Department being related, are treated together.

This board is composed of three members appointed by the Governor, who hold their office for a term of six years. The board appoints a secretary and such clerical help as is needed.

During the year 1917, the board held sixty-one hearings on application for public water. The board has made several stream surveys and has collected valuable information relative to the water supply of the State.

Reclamation Department.

The purpose of this department is to reclaim from overflow the swamp lands of the State. The department has made extensive surveys of three of the larger river valleys and is working out a system to prevent overflows and have made extensive stream measurements.

It is recommended that the Board of Water Engineers and the Reclamation Department be consolidated as an Irrigation and Reclamation Department, which department should consist of three members, two engineers to be appointed by the Governor, and the Commissioner of Agriculture should sit with the board in deciding conflicts as to encroachments, and other matters with which the board may have to deal. The said engineers should receive a salary of \$3600 per annum, and the Commissioner of Agriculture should sit without pay. The board should have a secretary at a salary of \$2000 per annum. This will effect a saving of about \$15,000 per year.

The Warehouse and Marketing Department.

This department has three divisions. It is divided into an office force of twelve persons, the field force which consists of five warehouse examiners, ten gin inspectors, eleven lecturers and one active manager.

The expenses for this department for the year ending August 31, 1917, was \$49,954.80.

Sixty-one warehouse and marketing associations have been incorporated and much work is being done to encourage the building of warehouses and to encourage better marketing conditions.

As the functions of this department are of an administrative character and relate to the agricultural affairs of the State, it is recommended that they be performed by a bureau under the Department of Agriculture, and that this department be abolished, which will result in a saving of approximately \$50,000 per annum.

Live Stock Sanitary Commission.

This department of the State government maintains an office at Fort Worth, and is composed of a chairman who receives a salary of \$2500 per annum, and two commissioners who receive salaries of \$1250 per annum, and 73 additional employees. The State Veterinarian receives a salary of \$1800 per annum, and his assistant receives a salary of \$1500 per annum. There are 65 inspectors who receive salaries of \$1000 per annum; two stenographers and one attorney who draw inspectors' salaries. The bookkeeping system is not good and the expense accounts are not clear in many instances.

It is recommended:

1. That the allowance for traveling expenses of inspectors be added to the salary in lump sum each month, and that they be required to travel 820 miles per month.
2. That the commissioners be required to return to the State Treasury the amounts paid Grade Calloway for salary (as attorney).
3. That this department be consolidated with and made a bureau under the State Department of Agriculture.
4. That the commissioners cease paying salaries of inspectors to stenographers and attorney.

The State Board of Veterinary Medical Examiners.

This board consists of seven members appointed by the Governor. The members hold office for two years and receive ten dollars per day and traveling expenses for the time employed, the compensation, however, to be paid from fees paid by applicants, which the chairman reports have not been sufficient to pay the full per diem. At the request of the chairman, it is recommended that the number of examiners be changed from seven to three.

State Entomologist.

This department has been located at the Agricultural and Mechanical College, but as it is an administrative office it is recommended that it be placed under the State Department of Agriculture.

State Forester.

This party has his office at the Agricultural and Mechanical College. He has nine patrolmen on the pine belt of East Texas, but the public takes little interest in his work.

State Chemist.

This department is located at the Agricultural and Mechanical College. His work is chiefly in connection with the feed control.

State Board of Nurse Examiners.

This board is performing its duties. No recommendations are necessary. It has accumulated about \$3000.

Public Weighers.

Under the law Galveston is the only place where the Governor appoints public weighers. Investigation revealed that the public weighers of Galveston have a monopoly and the people of Texas suffer as a result. It is recommended that the law be amended so as to increase the number of public weighers for such place to fifteen.

Eleemosynary Institutions.

We find that in all these institutions, except the State Lunatic Asylum at Austin, the Epileptic Colony at Abilene and the Southwestern Insane Asylum at San Antonio, the superintendents and their families board at the institutions and keep no account of the supplies used by them so it can be ascertained when their allowance made for their groceries in the various appropriation bills is exhausted.

We think this is bad and unbusiness-like method and against the interest of the people of the State, which we condemn in no uncertain terms and recommend its immediate discontinuance.

As a rule, in some of these institutions the management is not as efficient as the statutes and the good of the inmates, who are the wards of the State, demand, and in some instances it was found so evidently bad and inefficient that we felt that the interest of both the State and the institution demanded the removal of the present management, and we recommended the removal of the superintendent

of the Texas School for the Deaf, the storekeeper and accountant and the physician of the Confederate Home.

At the Confederate Home, we think the duties of the superintendent and storekeeper and accountant can be easily performed by one competent man, and we recommend that the law be so amended as to permit the consolidation of these two positions, which will be a saving in the expense of management of about \$1000 annually; and also recommend that a further change in the law be made which will permit the son of a Confederate to be superintendent of the Confederate Home.

We find that in every one of these institutions is a very inefficient system of bookkeeping, in that the books do not show the amount of outgoing supplies and at no time do they show the amount of supplies on hand.

We find no statement being made to the Purchasing Agent of supplies on hand, as required by law; in fact, such a statement could not be made with the present system of accounting; so that we are justified in saying that none of these institutions even approach an up-to-date accounting system.

No system of auditing is in vogue, nor has an audit of their financial affairs been made for several years. Amendment to both the accounting and auditing systems of all State departments and institutions is urged under the head of "General Recommendations."

We find in some few instances that the boards of these institutions are attentive to their duties, but this is the exception rather than the rule, and we make reference to same under the head of "General Recommendations."

State Purchasing Agent.

We beg to direct attention to the fact that this department of our State government is clothed with the power and authority to purchase in round figures, some two millions of dollars worth of merchandise and supplies annually, for the use and maintenance of our twenty-six State institutions. When this department was established there existed only thirteen of such institutions, all requiring a much smaller outlay of funds than they do today.

The expenditure of this vast sum of the people's money is vested in the judgment and discretion of only one man; this one man passes upon the quality of the merchandise, and the officials of the institutions are not consulted, save in rare cases, as to the quality of articles

they are in need of. This last mentioned condition has brought about no little complaint from several of the institutions. In this connection we find that the storekeepers are seldom supplied with samples of supplies under contract, which would enable them to make comparison of the goods as received. This situation, in our judgment is a serious one, since the storekeeper is absolutely without information as to the quality of merchandise bought; therefore, we have to conclude that the State is in a position whereby it could be very materially imposed upon. We question the judgment of any man upon the quality of an article as against the chemical analysis of that article. In rare instances do we find where food supplies have been submitted to chemical analysis in this administration. Our records show that chemical analysis of food supplies was much more frequent in previous administrations than in the present one, also that much can be saved through this policy; for instance, apple vinegar might be worth 25 cents per gallon and distilled vinegar might be worth 12 1-2 cents per gallon; soap might be 50 per cent pure or 80 per cent pure, but which could not be revealed only by chemical analysis. It is evident that much could be saved as a result of analysis where losses might occur from personal judgment.

We find that in the year 1915-1916, the Purchasing Agent received 144 bids; in 1916-1917, 96 bids, and in 1917-1918, 60 bids, showing a decrease of more than 50 per cent for the three years. This was explained by the Purchasing Agent as being the result of increased prices of merchandise, making it difficult for business concerns to handle State contracts without sustaining a loss; however, our records disclose that some did not bid on account of the conviction that "friends" were to be taken care of first. (Test., p. 413.) These are some of the many complaints heard by this committee.

In view of the conditions aforesaid, and of other irregularities to be mentioned later, and coupled with the enormous expenditures of this department and the necessity for more cautious judgment in wisely expending the public funds, we believe your committee is justified in advising the establishment of a more perfect purchasing system, to which reference will be made in our final recommendations.

The supporting testimony indicates that the head of this department has violated the rules of prudence, as well as the plain provisions of the statutes, by

accepting presents from those to whom contracts were awarded (Revised Civil Statutes, Article 7325); this practice, no doubt, would have a tendency to wield an influence in favor of individuals, firms or corporations using this method to develop the ties of friendship, and in some cases might militate against other citizens or business concerns that had not practiced this policy as a means of promoting their business interests. The statute was enacted for the protection of the law-abiding citizens, as well as to punish its violators, and it is not the purpose of this committee to excuse or condone anyone for violations. We do not allege that this policy has accomplished this end, but we do assert that certain irregularities did occur, for which this committee can see no just cause.

In the light of the contentions herein outlined and which are supported by testimony adduced in this investigation, showing in a conclusive manner that the policies pursued in the administration of the affairs of this department are not what they should be, your committee feels justified in asserting that favoritism has been repeatedly shown and that the Constitution and statutes have been violated, and we further believe that the best interests of the State would be subserved by a change in the office of the State Purchasing Agent, and that an entirely different system of purchasing for the State should be inaugurated. This matter is more fully treated elsewhere in this report.

We think a great improvement could be made in the method now employed by the State in the purchase of all supplies in these departments and institutions, and to that end we recommend that, instead of the present system of various persons being entrusted with the buying of the supplies used by the State in its departments and institutions, by piecemeal, the buying of all State supplies be placed under one board, under proper safeguards, which will allow wholesale instead of scattered retail purchases, and which would be a great saving in cost to the people.

We further recommend the consolidation under the Purchasing and Managing Board, above referred to, the duties pertaining to the following departments and boards: Superintendent of Buildings and Grounds, State Expert Printer, State Inspector of Masonry, State Purchasing Agent and the local boards of all eleemosynary institutions of the State, and that their specific offices and positions be abolished.

We are confident this recommendation will effect a great saving in administration, and for the verification of our opinion we refer to estimates and figures in summary of our "Report and Recommendations."

We recommend that the Purchasing and Managing Board shall also perform the duties of a budget board, to whom shall be referred all the estimates of the needs of the various departments and institutions of the State; and this board shall, from all the information they have from all sources, make out a budget for each and all of the departments and institutions of this State, between September 1st and November 1st of each even numbered year; file and record same in their office, and, immediately upon its completion, file a copy of same with the Governor; and upon the assembling of the Legislature the board shall immediately file a copy of their budget with the Speaker of the House and the President of the Senate, to be by them at once submitted to their respective bodies, for their consideration, in arriving at a proper appropriation to be made for each department and institution.

We think this will greatly reduce the expenditure of public funds for special purposes and do away with the "pooling" of interests by those charged with passing upon the various appropriations for public purposes.

We recommend that the Purchasing and Managing Board above referred to shall consist of three men to be appointed by the Governor and confirmed by the Senate, whose tenure of office shall be six years, except that those comprising the first board shall be appointed for two, four and six years, so that the tenure of office of one member shall expire every two years, which would at all times leave the board with a majority of experienced members, their salary to be fixed by statute.

We recommend that under the authority and direction of this board there shall be established an up-to-date, and so far as practicable, a uniform system of accounting for all the departments and institutions of the State; and also a uniform and comprehensive system of auditing the books of all departments and institutions of the State by an auditor or auditors, under the direction of this board, at least three times each year, and that the departments and institutions shall be required to furnish to the board a financial statement of its affairs at such times as the board, in

its discretion, may direct, which should be at least three or four times a year.

Our investigation has convinced us of the necessity of a uniform bookkeeping system, to be kept by all the institutions as nearly as practicable, and in our mind one of the most needed reforms of our whole system of State government is for an auditing system which shall be as complete as it is possible to make it, to be administered by competent men, their salaries to be fixed by statute and sufficient to secure the services of competent men.

Our estimate of the annual saving to the taxpayers, by the adoption of these recommendations, we believe, would be a minimum of at least a quarter of a million dollars, and the committee is unanimous in the opinion that it will likely be several times that amount.

The Prison System.

The present system consists of the main prison buildings at Huntsville, including various small shops and factories, such as machine shop, boiler shop, power and light plant, blacksmith shop, tailor shop, cell buildings and walls, general office and various dwellings, which will accommodate seven hundred prisoners.

The Thirty-fifth Legislature having authorized that the prison buildings at Rusk be changed into an insane asylum for the incarceration of the negro insane, and having authorized the Prison Commission to dispose of the iron works and the pipe foundry, nothing now remains at Rusk belonging to the prison system except the box factory, a number of residences and about 4000 acres of land. In addition to the above, the State has purchased about 50,000 acres of land and leased about 28,000 acres, large portions of which are cultivated by convicts. The State also owns about 2000 mules and various farming implements, as well as small railroad trackage and equipment on the sugar farms; also the State Railroad, which extends from Rusk to Palestine, and which the Thirty-fifth Legislature authorized the Prison Commissioners to sell.

State Farms.

The committee finds that at least 70 per cent of the convicts in the penitentiaries are negroes and Mexicans; about 50 per cent are registered as having no trade or profession; about 20 per cent are registered as farmers; and the remaining portion is divided among various occupations, a very small per

cent of them being skilled in mechanical pursuits. From the fact that a large per cent of the convicts are unskilled laborers, your committee believes that the State can obtain the best results from their labor by working a large majority of them upon its farms. Your committee further believe that by working the convicts on the farms the health of the prisoners will be better and they will be surrounded by open air conditions which will enable them to perform the greatest amount of physical labor without in any way interfering with their health.

Your committee further believe that under the present war conditions it is necessary for the State to conserve to the utmost the productions of the farm, and that by working these convicts upon the farms she will be able to produce sustenance for ourselves and our allies. Your committee further believe that the State should adopt some system by which it can obtain the best results from its convicts, both from a financial and reformatory point of view. We believe that this can best be done by working the convicts on the farms, and, therefore, we recommend that farming be adopted as the permanent and main occupation or industry for the prison system.

Investigation discloses that the State has made many costly experiments in the past in regard to its prison system, such as the iron industry at Rusk, which was installed at a cost of almost one-half a million dollars, and two sugar mills, located on the Harlem and Imperial State farms, which were installed at a cost of practically one million dollars, and which are now practically idle and unused by the system. The box factory at Rusk has been run at a loss, and all articles manufactured in the prison system that have come in competition with the outside world have proven a failure. Your committee think the time has arrived when some permanent system should be adopted by the State and the money hereafter expended on the prison system should be expended in improving and perfecting this system. As stated before, after careful consideration, we believe that the farming industry will come nearer making the penitentiary system self-sustaining, while at the same time the environment of the farm will be better for the moral and physical condition of the convicts.

In order to effectively carry on farm operations, we think the farms belong-

ing to this system should be as nearly contiguous to each other as possible, and inasmuch as the Shaw farm, located in Bowie county, is some 200 miles or more from the other farms belonging to the system, your committee recommend that said farm be sold or disposed of and that the proceeds, if necessary, be invested in other farm lands near the other prison farms. We also recommend that the land at Rusk (not being capable of cultivation) be sold, and if necessary the proceeds invested in good farm lands. We also recommend that the farm near Huntsville on which are kept the women prisoners be disposed of, on account of being a poor quality of soil, and that the women prisoners be moved to a farm where conditions are better for farming purposes.

Manufacturing Industries.

As before stated, we have found that the manufacturing industries of the system have not been successful, and your committee recommend, therefore, that in the future the manufacturing industries of the penitentiary be limited entirely to such things as may be needed for the system and can be economically used by the other institutions of the State. Our investigation shows that the cotton mill, shoe shop, tailor shop, broom factory and other industries that had for their purpose the manufacturing of articles and supplies for the convicts have been successful, and your committee recommend that they be continued, but limited to articles manufactured for the prisoners and State institutions where they can be economically used.

The State Railroad.

Investigation disclosed the fact that the State Railroad has never paid expenses of operation or maintenance, and we think the Thirty-fifth Legislature very wisely authorized the sale of this railroad.

Leasing Lands.

Investigation discloses the fact that something like 28,000 acres of land are at present leased by the Prison Commissioners. Some of this leased land was not in cultivation at the time the leases were executed, but quite a good deal of it has been cleared and put in cultivation by the Prison Commission without any recompense to the State for clearing the land and putting it into cultivation. In several instances the Prison Commission has taken an option

on this land, after it had been cleared and put in cultivation by the convicts, at a price at which improved lands were being sold contiguous thereto. We do not think it a wise policy for the State, with its convicts, to clear and put in cultivation lands of individuals and then contract to buy these lands at a price for which improved lands were being sold, when the value of the lands were very materially increased by the convicts clearing them and putting them in cultivation. The committee therefore recommend that the system of leasing lands be abolished and that the Prison Commission use the convicts to clear the State's own land and put it in cultivation, and that, if there is not sufficient land at the present time for this purpose, more land be bought under suitable restrictions, as hereinafter recommended.

Convicts, Treatment, Discipline, Condition, Etc.

The average number of convicts in the penitentiary system is about 3750; about 450 of whom are at Huntsville and about 50 at Rusk, and the remainder located on the various farms. The buildings at Huntsville are old and dilapidated and are not modern in any particular. The sanitary conditions are not good and the hospital buildings are insufficient to give good service. About 10 per cent of the convicts are either maimed, decrepit, insane or otherwise permanently disabled so as to render them non-productive. There are about 175 convicts on the Wynn Farm near Huntsville, many of whom have tuberculosis, and all of them more or less disabled from sickness. They are given special treatment and a diet of milk and eggs, and are under the regular care of a physician. A great many of them improve, and the death list is exceedingly low.

At Huntsville there are a resident Chaplain and two traveling Chaplains. Religious services are held at Huntsville every Sunday and at intervals at the other prisons. Our investigation developed that no effort has been made towards establishing schools of instruction among the convicts as is required by law—that young convicts are not segregated from the older convicts as required by law, and that no particular effort is made towards reforming the prisoners. We also find that quarters on the various farms provided for the housing of the prisoners are very inade-

quate and that there are no sewage systems, or at least inadequate sewage, and that the bedding furnished the convicts in many instances is in bad shape, inadequate, filthy, and oftentimes covered with vermin; and that sometimes there is a shortage of food and clothing for the prisoners. Investigation further developed the fact that there are frequent instances of inhuman and brutal treatment of the prisoners by the guards and managers on the farms, and especially has the treatment of the prisoners on the Imperial Farm at Sugarland been exceedingly brutal and inhuman—evidence disclosing that prisoners were hung up by chains attached to their arms and swung up with their toes barely touching the ground until they fainted; also that prisoners were beaten with wet ropes and struck over the head with six-shooters by the guards, and bitten by dogs. That some of the guards habitually carry long black snake whips for the purpose of enforcing obedience from the convicts, and that the law has been frequently and habitually violated by the guards and those in charge of the farms in regard to the punishment of prisoners. That prisoners suffering from disease were compelled to labor when they were not physically able to do so, and that sometimes the guards were drunk while in charge of the convicts.

It seems to have become the purpose of the Commission to make a financial success out of the labor of the convicts without regard to their physical condition and humane treatment.

Your committee recommend that the housing conditions of the prisoners be materially improved and that proper sewage systems be installed and sanitary conditions improved; that the convicts be furnished with clean quarters and bedding and good wholesome food; and that the law be strictly followed in regard to humane treatment and punishment of the convicts.

Your committee therefore recommend that Dan Crow, Manager of the Imperial Farm, and a guard by the name of Finley at Camp No. 3 on said Imperial Farm, be immediately dismissed from the service of the Commission for brutal and inhumane treatment of the convicts.

Sugar Industry.

The State owns a sugar mill located on what is known as the Clemens Farm which is in fairly good condition, and also one on the Harlem Farm, which

has been operated for some time. The State has a contract with the Imperial Sugar Company, which represents an annual loss to the State, which has some eight years yet to run, and which requires that the State deliver a certain amount of sugar cane to the Imperial Sugar Company every year, and after the amount is delivered as required by said contract there is not sufficient sugar cane raised to operate the State's mill on the Clemens Farm except for only a short time each year. Therefore, your committee recommend that the sugar mill on the Harlem Farm be conserved but not operated for the present.

Indeterminate Sentence Law.

Under this law a convict is led to hope that the duration of his confinement is dependent upon his good conduct, but the Attorney General construes the law to require that the convict serve the maximum penalty, and the convict who hopes by his good behavior to materially shorten his term of confinement is disappointed. Your committee, therefore, recommend that this law be amended so as to conform to the spirit of the same, or that the law be repealed.

Board of Pardon Advisers.

For the purpose of aiding the Governor in passing upon applications for pardons the Board of Pardon Advisers was established. Heretofore recommendations have been made for the repeal of this law and to transfer all of its powers to the Prison Commission. After investigating the matter thoroughly we think it best, and recommend that the application for pardons be determined by an independent and distinct tribunal; hence we make no recommendation for a change in the law with respect to the Board of Pardon Advisers.

Articles 6184 and 6185, Revised Statutes, gives the Prison Commission almost unlimited power, with the consent and approval of the Governor, to purchase real estate for the system, stipulating that the purchase price should not become a personal liability against the Commission, but should be a lien upon the land. It has been the policy of the State to give the penitentiary authorities broad powers with reference to making contracts and the purchase of property, etc., and in pursuance of this policy railroads have been built,

manufacturing industries established, and other investments made, which has cost the State many thousands of dollars. We recommend that this policy be abolished and that the law be so amended as to require the consent of the Legislature before any lands can be bought or sold, or any additional manufacturing industries established.

Guards.

Under the statutes the Commissioners are only allowed to pay guards \$40 per month, and it is often impossible for them to obtain proper men as guards for the salary named. Your committee recommends that the farm managers or wardens be permitted to employ guards with the consent of the Commission and that the salaries should be scaled from a minimum of \$25 to a maximum of \$75 per month in accordance with continued satisfactory service.

Transportation of Convicts.

The law now requires all prisoners to be sent to Huntsville and from there assigned to the various sections of the Prison System, which incurs considerable useless expense in transportation. We, therefore, recommend that the law be so modified as to require the prisoners to be sent to the nearest unit of the Prison System.

Management of Prison System.

A joint legislative committee of 1913 recommended that a general manager of the Prison System be appointed by the Commission and the Governor, and that the duties of the Commission should be so modified as to correspond in substance with those of a board of directors of a private corporation. We believe this would be a better system than having three men at the head of the institution, and we, therefore, recommend that the management of the Prison System be placed under one man. The investigation discloses the fact that no guards have ever been convicted of violations of the law in punishing prisoners. We, therefore, recommend that the laws be so amended as to compel prompt and efficient prosecution of guards violating this law.

Insane Prisoners.

The investigation discloses the fact that there are about twenty insane prisoners who are kept segregated and apart from the other prisoners, and we, there-

fore, recommend that asylum quarters be provided for the insane prisoners.

The S. S. Perry Claim.

The Thirty-fifth Legislature granted S. S. Perry, of Brazoria county, the right to sue the State for damages resulting from a failure of the Prison Commission to carry out its contracts with him. Perry brought suit against the State of Texas for \$16,000. The Attorney General has made a special investigation as to the legality of his claim and reached the conclusion that Perry was damaged approximately \$12,000. It is understood that this claim can be settled for \$8000, and the Attorney General, being of the opinion that in the trial of said suit Perry may recover from \$12,000 to \$16,000, we, therefore, recommend that said claim be settled on a basis of \$8000.

Traveling Salesman.

Our investigation disclosed the fact that one W. H. Taylor, who is a traveling salesman for the Prison industries, is not selling enough goods to pay his salary and expenses, and we, therefore, recommend that the position be abolished and that said party be discharged.

Box Factory.

Investigation having disclosed that the box factory was operated at a loss during the past year, and also during the past several years, we, therefore, recommend that it be disposed of.

Mr. W. M. Ellis, Warden.

Our investigation discloses the fact that Mr. W. M. Ellis, Warden of the Rusk Penitentiary, is addicted to the drug habit and has used convicts for his own personal profit, and that he is incompetent and inefficient, and we, therefore, recommend that he be dismissed; also that H. G. Gambill, steward, and J. I. Martin, assistant steward, at Huntsville, are incompetent and inefficient, and we, therefore, recommend their removal.

Prison Commission.

The investigation of your committee discloses the following facts:

(a) That the Eastham Farm was sold to the Prison Commission at a price of \$350,000 and that a former special attorney of the Prison Commission had been permitted to make \$50,000 out of said sale, though the evidence does not disclose that the Commissioners had any knowledge of these facts, yet we think

the circumstances such that, by reason of ordinary reasonable diligence, they could have ascertained that the farm could have been purchased at \$50,000 less than it was purchased at.

(b) Contracts on leased lands give the Prison Commission an option of paying cash rental for the lands or of paying one-fourth of the crop therefor, and this option is to be exercised on or about August 1st of each year. That on August 1, 1917, when the crops on said farms were practically made, the Commission exercised the option of paying one-fourth rent instead of the cash payment, thereby losing to the State of Texas approximately \$250,000.

(c) That said Commission, in violation of the law, employed an attorney, W. G. Love, at a stipulated salary which was paid by them out of the prison funds without any warrant of law; that they also employed one Jno. R. Moore as attorney for the State Railroad at a salary of \$200 per month without warrant of law.

(d) That said Commission cleared lands of individuals with convict labor and put them in a state of cultivation without receiving any benefit, and afterwards took an optional contract on said lands at a price at which improved lands were selling.

(e) That convicts have been brutally and inhumanly treated by guards and managers of the system, without such guards and managers being discharged and prosecuted by law.

The above facts taken together, we believe show such a want of business ability, good judgment and disregard of humanity as to justify your committee in recommending that said Commission be removed, and that they be required to pay back to the State all salaries illegally paid to W. G. Love and John R. Moore.

Girls' Training School.

The Girls' Training School, located three miles from Gainesville, Texas, is a new venture for the State. That it is proving a success cannot be questioned. About seventy girls are now in the school for all sorts of delinquencies of which our juvenile courts have jurisdiction. Their term of commitment is "during minority," and as none of those sent have attained their majority none have been discharged for that reason.

The school is splendidly managed, and the committee finds that the system of correction is good, the moral welfare of

the inmates given first consideration, and every effort used to instill into the minds of the girls a spirit of thrift and economy.

The committee has only to recommend that the law governing this institution be amended to make the judgment of commitment read until the delinquent reaches the age of twenty-one years.

Juvenile Training School.

This institution is located at Gatesville, and owns 822 acres of land, of which 375 acres are now in cultivation, and the remainder, not being suitable for cultivation, is in pasture.

There are 734 boys, ranging in age from five to twenty years, at the institution. The institution has a printing plant, tailor shop, laundry, and other small industries which are used to supply the needs of the institution and give the boys instruction in trades. There is no demand for the output of these industries, and they are necessarily limited in their operation. The institution has not enough land to keep the boys engaged in farming, and it has been necessary to rent land.

School is conducted for the inmates, and they improve very materially.

It is recommended:

1. That the law be amended so as to provide that no one should be admitted to the institution except on judgment of a court of competent jurisdiction, and that one admitted to the institution should remain there subject to the officers of the institution.

2. That younger boys be separated from those over seventeen years of age.

3. That places be provided for the feeble-minded at the Home for the Feeble Minded.

4. That where parents are able to take care of their children the law be amended so as to compel them to do so.

5. That additional land contiguous to the institution and suitable for farming purposes be purchased.

State Health Department.

The expenditure of the \$25,000 by the Thirty-fourth Legislature for the investigation of the Bubonic Plague situation in Texas was inquired into very carefully, and the committee is impelled to say that the result to the people of the State is valueless. The records show that the greater part of the fund was paid to different people for catching rats, and the remainder spent for travel-

ing expenses, teaching the people to rat-proof houses, and dissecting rats to ascertain whether or not they were infected with Bubonic Plague, and each rat dissected was found to be in perfect health, in so far as the records show.

The act appropriating this fund became available March 23, 1915, and the department began expending it in April, 1915, and continued to spend it until August 31, 1917, a period of two years and five months. This, of course, is contrary to the constitutional inhibition that "nor shall any appropriation of money be made for a longer term than two years." This practice is strongly condemned.

Quarantine System.

The committee caused an inspection of the State quarantine service at the stations of Sabine Pass, Galveston and Laredo. At Galveston the Federal authorities inspect and fumigate the ships, and the inspection and fumigation by such authorities is accepted by the State officers; and in case of fumigation by the Federal officers a fee of \$25 for fumigation and a fee of \$10 for boarding the vessel is made by the State. The committee thinks that this practice of charging fees where no service is rendered is abhorrent to the best traditions of a great State like Texas.

At Laredo the committee found that the quarantine work is being done by State officers and the inspection made and fumigation done by them accepted by the Federal Government. It appears that for the fiscal year beginning September 1, 1916, and ending August 31, 1917, the fees collected amounted to \$24,864.40, of which amount \$15,207.54 was used for operating expenses. The use of this money was, of course, in violation of law, and can only be excused upon the ground that the appropriation for this point was wholly inadequate to employ the necessary labor to do the work required to be done.

The testimony shows that during 1916 the State Quarantine Officer at Laredo paid fees to the assistant surgeon in charge of the Federal Quarantine Service, amounting to \$1,490.97; that the Quarantine Officer paid to the city health officer of Laredo, Texas, \$706.28; that fees were paid to the State Rangers, as follows: Thomas, \$150; Saunders, \$155, and Hickey, \$50, and that these rangers were at the same time drawing salaries from the State.

The Quarantine Officer has paid two

secret service men in Mexico \$75 a month each, totaling \$2897.60, but the names of the parties are not of record and no canceled checks or receipts to verify the payment to them, the reason assigned for the secrecy being that it would mean certain death to the detectives if their names were disclosed.

Enactment of stringent legislation will be necessary to prevent such illegal and extravagant practice.

Dual Quarantine.

The value of the State's property at the various quarantine stations at the ports of Texas and along the border amounts to \$116,407.32, and, in addition, an appropriation of \$62,926.94 is now available for additional improvements at Sabine Pass. The total salary expenses, maintenance and upkeep for the fiscal year ending August 31, 1918, amounts to \$60,700. The Federal Government's property at Galveston, Laredo, Eagle Pass and Rio Grande City is valued at \$165,483, and, in addition to this, it has well equipped buildings rented at El Paso and Brownsville where it is maintaining effective service. During the last fiscal year the Federal Government expended \$60,000 in the enforcement of the quarantine service along the Mexican border, which is a greater amount than the State expends on the Gulf coast and the Mexican border.

The maintenance of dual quarantine plants at the same point has proved unsatisfactory wherever tried, and wherever the dual system prevails, one is subordinated to the other. It is expensive and retards the movement of the ocean and inland commerce to some extent. All the States of the Union have surrendered control of the quarantine question to the Federal Government, and, in view of the fact that the Federal Government has expressed a willingness to take over the work now done by the State and reimburse the State for its holdings, the committee recommends that it be done.

The State has at all times the inalienable right to protect her citizens against the importation of infectious diseases, and will reserve the right to do so; whenever the Federal Government is better equipped than the State to do this work, and the further fact that it is largely a question of international character it is the part of wisdom for the State to permit the Federal Government to perform this service.

If this is done, the State will save the operating and maintenance expense, the

amount of the available fund for the building of the Sabine plant and the value of its plant at other points, totaling \$240,034.59.

The question of quarantine against peoples and ships coming from foreign countries is a Federal question, and the Federal Government has the right to exercise such authority, and, since it has absolute control of custom duties and immigration, it may, without an infringement of the State's right, by and with the consent of the State, exercise control over the quarantine question.

Pasteur Institute.

The Pasteur Institute is doing a great work. It is recommended that this institute be placed under the State Health Department, with such safeguards as will secure and retain the services of Dr. Wilhite as superintendent, whom the committee believes to be one of the best authorities in the Union on the treatment of hydrophobia. The salary should be increased commensurate with the character of the work being done.

Pure Food and Drug Department.

An audit was made of the Pure Food and Drug Department. There was a lack of system in bookkeeping. The commissioner, Mr. R. H. Hoffman, is very efficient, but has been handicapped by some of the assistants furnished him under the spoils system of politics. Under his management the pure food law has been rigidly enforced, and he is to be commended for the work done.

In as much as the work done by this department is kindred to that done by the State Health Department, the committee recommends that the Pure Food and Drug Department be made a bureau under the Health Department, with such safeguards as will enable the State Health Officer to secure and retain the services of competent employees. This action will result in a reduction of operating expenses.

State Board of Medical Examiners.

This board is maintained by fees collected from applicants for license to practice medicine, and seems to be performing its functions well. There are no recommendations.

State Dental Board of Examiners.

This board is supported by fees collected from applicants for license to practice dentistry; it is of no expense

to the State, and seems to be performing its functions well.

The State Board of Pharmacy.

The State Board of Pharmacy is financed by the charging of fees to the applicants. The standard of requirements of applicants under our law ranks with the most advanced States in the Union, and the personnel of the board is such as to command respect from all States with which the board has reciprocal relations. Its secretary, Mr. R. H. Walker, is commended for his devotion to the duties of the office and the efficient manner in which he has conducted its affairs.

Tubercular Sanatorium.

The State Tubercular Sanatorium at Carlsbad, Texas, is now caring for 180 patients, and when the buildings now under construction are completed, will accommodate 360. The institution is well managed. The bookkeeping system installed is highly commended by the committee.

The appropriation by the Thirty-fifth Legislature will permit, in a limited way, an educational campaign to prevent the spread of tuberculosis in Texas. The educational campaign is of prime importance, and the committee recommends that this work be extended from time to time.

Bureau of Child and Animal Protection.

Your committee finds that no appropriation has ever been made for the work of this bureau, and none has ever been established.

Industrial Accident Board.

This board was created by the Thirty-third Legislature in 1913, as a part of the machinery of the Workmen's Compensation Act, which act was amended in 1917 by the Thirty-fifth Legislature. Your committee recommends that the law be amended so as to make the board consist of the Labor Commissioner, the Insurance Commissioner and the Attorney General, and that the work of said board be done under the supervision and in connection with the Labor Department; also that said law be further amended so as to increase the compensation to be received by laborers who are the victims of industrial accidents to at least equal what they received under the law prior to its amendment by the Thirty-fifth Legislature.

Our conclusion was that under the

present law the insurance companies profit and the injured employes suffer; that the tremendous majority of the cases are uncontested and the entries relative thereto are merely secretarial, and that the contested cases which call for any hearing of the board are so few that they can be disposed of in a few hours' work by the board each month.

We believe this change in the law will result in a saving to the State of the salaries of the board as now constituted and the saving of clerical expenses besides.

State Printing Board and Expert Printer.

1. We recommend that this board be abolished and the work of the Expert Printer be placed under the supervision of the Purchasing and Managing Board.

2. It is further recommended that the State Printer investigate the printing done at the State Reformatory School at Gatesville and see if its output could be used in the State institutions and departments with any saving.

3. The contract which the State has for stationery provides that in case the State orders an article not called for by the contract it shall be supplied at a cost to the State of 25 per cent additional to the laid down contract price. The agent for the firm soliciting orders from the various departments will often urge the ordering of a different class, but similar grade, article from that under contract, in which case the State pays the additional 25 per cent, resulting in quite a loss to the State.

4. The committee recommends that in future contracts with the State this clause be eliminated, and provide for the substitution of a similar grade or kind of stationery at the price named in the contract; and that purchasing of supplies of stationery be done by the Expert Printer, who is in better position to judge of the quality of stationery than are the departments.

Bureau of Labor Statistics.

The committee feels impelled to call attention to the excess expense account of this department during the past three years, but the condition, the committee is glad to say, has been greatly improved under the present management. The committee finds that a practice has prevailed in this department of certifying expense accounts without administering the prescribed oath. Such prac-

tice is a serious violation of the law, and cannot be condemned too strongly.

State Mining Board and State Inspector of Mines.

The only function of the State Mining Board seems to be to assemble and select the State Inspector of Mines, and we, therefore, recommend its abolition.

We commend the work of the present Inspector of Mines, Mr. Gentry. No complaint of his work has reached your committee. His use of State funds as traveling expenses has been noticeably economical in contrast with some other State employes; but, hoping to save the expense and machinery of a board, and seeing no difference in principle between this work for the safety of our mine workers and others of our laboring people, we recommend that the law be changed so as to make the duties of this office a function of the Labor Department; that the State Inspector of Mines be appointed by the Labor Commissioner at the present salary.

State Board of Public Accounting.

This board was created by Acts of 1915 for the purpose of examining applicants who desire to become certified public accountants. The expense of the board are paid by small fees collected from the applicants and cost the State nothing. We, therefore, recommend that it be continued.

Board of Appraisers.

This board was created by Acts of 1913 for the purpose of reappraising certain school lands which have been forfeited for non-payment of interest in West Texas. It has performed its functions and passed out of existence.

Commissioners of Deeds.

Created by Acts of 1846 for the convenience of persons living in foreign states or countries who own lands in the State of Texas. These parties may go before such commissioners and have all instruments affecting the title to their lands in Texas acknowledged in accordance with the laws of Texas. We, therefore, recommend the continuance of said law.

Board of Legal Examiners.

Provides that each of the Courts of Civil Appeals shall appoint a board of legal examiners for their respective districts, whose duty it shall be to examine

applicants for license to practice law. The boards are paid out of fees charged to applicants and are of no expense to the State. We, therefore, recommend that they be continued.

Water and Light Board.

Was created by Acts of 1909 for the purpose of contracting with the city of Austin for water and light for a term not to exceed four years. It has performed its functions, and we doubt whether, under the act creating it, it could now make contracts. From our investigation, we deem it necessary that some one should be designated to contract with the city for water and light. We, therefore, recommend that the State Purchasing Board and Managers, as hereinafter named, be authorized to make such contracts on behalf of the State for a period of two years each.

Superintendent of Public Buildings and Grounds.

The committee finds the law requires the Superintendent of Public Buildings and Grounds, after his selection and qualification, to file with the Secretary of State a true and correct inventory of all personal property belonging to the State, and a like inventory of such property acquired by him during his term of office, deliver such property to his successor and take his receipt therefor. The committee further finds that no record is made of personal property disposed of by said officer, and that no record is made of property turned over to him by the various departments for disposal.

We, therefore, recommend that the officer in charge of public buildings and grounds should be required by law, under appropriate penalty, to make an inventory of all personal property belonging to the State and all personal property turned over to him by the various departments for disposal, and to record the same in a well bound book to be kept in his office. That, when any personal property is disposed of, the same be itemized and listed in said book, together with the price brought by same, so that it can be ascertained at all times just what personal property belongs to the State under his control.

We further recommend that all leases made by him on behalf of the State should be recorded in said book, and a proper account with each tenant be kept in said book.

Public Parks.

The committee finds that considerable money is being appropriated each year for the improvement of the public parks of the State, but that no system has been adopted by which said appropriations can be economically expended.

We, therefore, recommend that the proper officer, under whose jurisdiction said parks may be, be required to employ a competent landscape architect to make plans or drawings showing in perspective how such parks can be improved and beautified, such plans to be approved by the local commissioners in charge of said parks, and to be recorded in the office of the officer having supervision of said parks, and that hereafter all appropriations made for said parks shall be expended in accordance with said plans.

State Cemetery.

The committee finds that much confusion has arisen from the fact that the Legislature has never specifically stated what persons were entitled to burial in the State Cemetery. We, therefore, recommend that the law be so amended as to state who shall be entitled to burial in the State Cemetery.

It is further recommended that the State Purchasing and Managing Board be required to pass on the needs of the various departments in the Capitol building in regard to what furniture is needed in said departments, and to purchase same.

Pilot Commission.

The Pilot Commission is conducting the affairs of the Commission in an efficient manner. Thirteen pilots are employed, and quite a few of them are men of considerable experience in this particular line of work, and are receiving adequate pay for their services. In fact, the receipts at the various ports show that the business has grown and is rapidly growing, and it seems to the committee that the State should be entitled to a portion of the revenue collected by the Commission.

It is, therefore, recommended that the fees collected by the Commission be turned into the general revenue of the State Treasury and that the pilots be paid a stipulated salary, or require each pilot to pay into the State Treasury, to the credit of the general revenue, one-fourth of all gross receipts collected by them for services rendered by pilots.

Adjutant General's Department.

An audit was made of the Adjutant General's office for the two years beginning September 1, 1915, and ending August 31, 1917. The bookkeeping of this department prior to September 1, 1917, was poor, indeed. There was a failure to enter a great many accounts on the books, failure to keep copies of all accounts, and charging various accounts to the wrong appropriation. Under the present management conditions have greatly improved and a business system inaugurated.

The audit of this department impresses the committee with the need of a uniform auditing system of the departments of the State Government, with frequent audits; and the committee most strongly recommends the inauguration of same.

The practice of charging a specific appropriation with foreign items is vigorously condemned, and stringent legislation is recommended embodying severe penalties for the violation of the intent of the Legislature, as shown in the appropriation bills.

The books of the Comptroller's office show that a warrant was issued to R. L. Henry for \$709, and the same paid by the State Treasurer. The account is for legal services and expenses to Washington City. It is not ascertained what legal services were rendered by Mr. Henry. He was in Washington during the investigation, and General Hutchings could not be gotten before the committee.

The practice of employing outside attorneys to represent various departments has been frequent of late, and in view of the fact that the Attorney General is the legal adviser of the various departments of the State Government, the practice is severely condemned. The committee recommends legislation prohibiting the employment of any attorney by any department, except upon the advice of the Attorney General and approved by the Governor, or by the Governor in case the Attorney General refuses to act.

The audit of the department shows that deficiency warrants were issued by the department in the past, and to correct this abuse the committee recommends the enactment of a law prohibiting the Governor from authorizing the issuance of deficiency warrants, or at least to limit such deficiencies to no more than 10 per cent of the appropri-

tion to be expended for the purpose named in the bill.

State Department of Banking and Insurance.

After a very careful and searching investigation, the committee concludes that the department should not be separated, but should be kept intact, as at present, with the Fire Rating Board added; and that the insurance division should be divided into three bureaus:

1. The life insurance bureau, to have general supervision of the life insurance companies doing business in the State.

2. The fire insurance bureau, to have general supervision over the fire insurance companies of the State, with power to classify and make rates and do all necessary things to efficiently and economically enforce the fire insurance laws of the State.

3. The miscellaneous bureau, to have general supervision and control of all other classes of insurance.

The membership of this bureau of insurance shall consist of the Commissioner of Insurance, the Attorney General and the head of the bureaus, whose duties shall be the general supervision of all classes of insurance in their respective bureaus. The employes of each bureau shall be appointed by the head of the bureau, with the consent of the Commissioner of Insurance and Banking and the Attorney General.

It is recommended that there be appointed three insurance examiners, whose duty shall be to examine into the various insurance companies of the State, to compile their reports and perform such other duties as may be directed by the Insurance and Banking Commissioner.

In order to maintain this department without expense to the State, it is recommended that each insurance agent in the State shall pay one dollar each year for a license issued by the Commissioner of Insurance and Banking, authorizing him to write insurance in Texas.

The committee commends Mr. C. O. Austin, the Commissioner of Insurance and Banking, to the people of Texas for his ability and the faithful discharge of his duties.

Fish, Game and Oyster Commission.

Investigation reveals:

1. That the Fish, Game and Oyster Commissioner was incompetent and violated many laws and spent money contrary to law.

2. That he bought two Dodge auto-

mobiles, and after the Comptroller, acting on the advice of the Attorney General, had refused to issue a warrant, or warrants, therefor, he paid for same out of the fees collected, which should have been turned into the State Treasury.

3. That the appropriation for the purchase and repair of boats made by the Thirty-fifth Legislature was exceeded by \$5046.

4. That the Commissioner purchased a boat from Col. Jake Wolters in August, 1915, that was sunk on August 15, 1915, and paid for out of fees that should have been remitted to the State Treasurer on August 31, 1915, and at the time such boat was purchased no funds were available to pay for same.

5. That the department paid Walter D. Caldwell as attorney's fees and expenses \$955.30, while said Caldwell was a member of the Legislature.

6. That said department unlawfully issued free hunting licenses to the amount of \$71.75.

7. That said department has paid for a telephone in the private home of the chief deputy contrary to law.

It is recommended:

1. That Will W. Woods, Fish, Game and Oyster Commissioner, be removed from office, or if necessary, be impeached.

2. That the Attorney General proceed to recover from said Woods the \$955.30 paid Walter D. Caldwell, the amount paid on the telephone in the home of the chief deputy, the amount paid for the Commissioner's expenses while in Austin, and the amount paid for two Dodge automobiles.

3. That a tax of 5 cents per yard be imposed on shells. This will bring annually \$20,000.

Total saving to the State by this report \$25,525.67.

The Railroad Commission.

Investigation developed:

1. That the powers of this body have been materially reduced by the Interstate Commerce Commission assuming increased jurisdiction.

2. That under the order of the Interstate Commerce Commission in the Shreveport Rate Case it is left optional with the railroad companies whether they charge the rate fixed by the Texas Railroad Commission, or a higher rate not to exceed the maximum rate authorized by the order of the Interstate Commerce Commission, and that the railway companies are exercising their option and charging the highest rate authorized

by the Interstate Commerce Commission, absolutely ignoring the Texas Commission rate.

3. That the law placing the pipe lines under the Railroad Commission, providing for the appointment of a pipe line expert at a salary of \$3600 per annum, and certain expenses, contemplated that such pipe line expert should be qualified to furnish the Commission such data, including an inventory and valuation of the physical properties of the several pipe lines, the cost of operation and the amount of oil that passes through such lines.

4. That the person holding the position obtain monthly statements of the amount of oil that passes through the five pipe lines, but does not perform and is not qualified to perform the other duties.

The secretary of the Railroad Commission can perform the duties that are now being performed by the present pipe line expert, and the engineer for the Railroad Commission can make the inventories and valuations, and determine the cost of operation of the several pipe lines so as to enable the Commission to determine what are reasonable rates.

The rates now in effect are the rates that were being charged by the several pipe lines from January 1, 1917, to July 1, 1917, except the rates charged by the Sun Pipe Line Company were increased 25 per cent on July 1, 1917, just before the law became effective, and such increased rate was adopted.

The \$25,000 appropriated by the Thirty-fourth Legislature to assist the Commission in making a fight against the petition of the railway companies for increase in freight rates was spent by the Commission and their special attorney, W. H. Gray, and it is doubtful if the State received any benefit therefrom.

It is recommended that the Legislature, at the earliest possible date, pass a law that will provide that where it is left optional with railway companies whether they charge the rate fixed by the Railroad Commission of Texas, or a higher rate as authorized by the maximum rate fixed by the Interstate Commerce Commission, such companies as charge the Texas rate shall continue to enjoy all the privileges that they now enjoy, but such as charge the higher rate shall forfeit all the privileges that they now enjoy, as a matter of grace. The enactment of this law will preserve the Railroad Commission of Texas as a rate making body and save the people of

Texas annually several millions of dollars in freight rates.

It is recommended that the position of pipe line expert be abolished, and that the duties now being performed by such officer be performed by the secretary of the Railroad Commission, and that the engineer for the Commission make inventories and valuations of the physical properties of the several pipe lines and the cost of operation and furnish same to the Commission. This recommendation will result in a saving of \$3600 per annum in salary and other expenses in addition.

It is further recommended that where special counsel is needed by the Commission or any other department of government, the appropriation therefor be made to the Attorney General's Department, who is more capable of employing attorneys than other departments.

The State Highway Commission.

Investigation revealed:

1. That the Highway Department employs fourteen people in the engineering division, and from forty to seventy in the registration division.

2. That there has been continuous discord and dissension among the commissioners and employes.

3. That there have been numerous rumors of leakage and shortage in the department.

4. That the law requires the Commission to have printed a numerical and an alphabetical list of owners of motor vehicles, and it is impossible to get either of these lists out under six months and it may require more time, the two lists costing from \$15,000 to \$20,000. The alphabetical list is the most expensive and cannot be published in time to be of much service.

5. That the expense of the department has been \$137,000 for six and one-half months.

6. That the members of the Commission and the engineer have made trips to conventions, charging their expenses to the State and drawing salary and per diem.

7. That the chairman of the Commission makes trips and delivers speeches in campaigns for bond issues and to initiate such campaigns, charging his per diem and expenses to the State.

8. That the engineer, Geo. A. Duren, went on a trip with Chairman Hancock to St. Louis, Washington and Virginia to attend a meeting of the National

Highway Association, without having been authorized by the Commission to do so, and charged his expenses in the sum of \$129 to the State, which was collected after the Attorney General had held that such item was unlawful.

9. That many of the employes are incompetent.

It is recommended:

1. That the Highway Department be placed under one commissioner to be elected by the Railroad Commission and confirmed by the Senate, who shall have charge, under the supervision of the Railroad Commission, of the Highway Department.

2. That said department should be reorganized on an efficient basis.

3. That the law be so amended so as to require the payment of registration fees to the tax collectors of the several counties.

4. That Engineer Geo. A. Duren be required to return to the State Treasury the \$129 illegally collected for his expenses on a trip to St. Louis, Washington and Virginia.

5. That the salary of the engineer, which is now \$5000 per annum, be not exceeding \$4000 per annum.

6. That the practice of the commissioners and employes in making trips to conventions and to instigate and encourage campaigns, for the issuance of road bonds at the expense of the State be condemned and stopped.

7. That the law be amended so as to eliminate the printing of the alphabetical list of owners, if not both lists. This will result in a saving of from \$10,000 to \$15,000 per annum.

A proper reorganization of the department under efficient management should result in reducing the payroll from 25 per cent to 40 per cent.

State Depository Board.

Investigation developed that under the present law only sixteen State depositories are possible, and, as no depository can keep more than \$50,000, not exceeding \$800,000 can be kept at interest; the lowest rate of interest paid by any depository is 3.17 per cent, and the highest rate of interest is 5.76 per cent, the average rate being 4.27 per cent; that there has been an average daily balance in the State Treasury, during the past year, of exceeding \$4,000,000.

It is recommended that the law be so amended as to constitute the State Treasurer, the Attorney General and the Commissioner of Insurance and Banking, a

State Depository Board, so as to authorize all State and National banks, with a capital stock of not less than \$25,000, to bid, and that a list of such banks be made in the order of the rates of interest offered, and that all State funds be kept in the banks offering the highest rate of interest, no depository to keep more than \$50,000, and in no event more than its paid up capital stock, and providing for the deposit of securities as collateral, as set out in approved bill attached to subcommittee report.

This recommendation, if adopted, will result in a saving to the State of from \$150,000 to \$200,000 per annum.

State Revenue Department.

Our investigation of this department discloses the fact that it is not performing the functions for which the office was created, the Governor having practically ceased to direct the work of the department. They are, therefore, acting without legal authority and the revenues obtained through its services do not justify the expense necessary to its maintenance. The records show that through the efforts of this department there was collected in delinquent taxes \$24,972.11 for the three-year period ending August 31, 1917, at a total expense to the State of \$18,500.

The Thirty-fifth Legislature appropriated for the maintenance of this department, for the biennial period ending August 31, 1918, \$27,350, which we believe to be out of proportion to the benefits the State would derive from the expenditure of such fund. And in view of the fact that we have recommended that our occupation and gross receipts tax law be amended so as to require all persons engaged in a business subject to a gross receipt tax or occupation tax, to secure first a permit from the State before engaging in such business, and prescribing a severe penalty for nonpayment of such taxes when due, the parties subject to such tax could not afford to default in payment of same, thereby removing the necessity of traveling revenue agents to perform the service now being performed by this department.

If our recommendations are accepted, there would be an annual saving of \$13,675, less the salary of \$2500 for one additional auditor in the Comptroller's Department.

Pension Department.

Our investigation of the Pension Department discloses the fact that this de-

partment is administered through the pension division of the Comptroller's Department and the Pension Commissioner's office, which occasions duplication of work as well as some confusion among the pensioners, and occasions inconvenience in the comparison of documents, etc.

The evidence has further disclosed that the work of administering the pension laws is purely clerical work and could better be administered through the Pension Department in the Comptroller's office. We, therefore, recommend:

1. That the office of the Pension Commissioner be abolished, and that there be enacted necessary amendments to the law making the proper transfer of all matters pertaining to pensions to the Comptroller's Department.

2. We recommend the immediate annulment of the appropriation for traveling expenses of the Pension Department, as we have discovered no use for such fund.

Recapitulation of Combinations and Savings.

Your committee represents that the adoption of the foregoing recommendations will result in the following combinations and savings, to wit:

- | | |
|--|-----------|
| 1. The discontinuance in the Senate of the positions of mailing clerk and notarial clerk and their assistants will save to the State \$900 per month, while the Legislature is in session, which is estimated as an annual saving of..\$ | 1,800.00 |
| 2. The recommendations as to increases in fees in the General Land Office will result in an annual gain of approximately | 25,000.00 |
| 3. The discontinuance of the office of Assistant Attorney General for the Court of Criminal Appeals will result in an annual saving of approximately | 5,000.00 |
| 4. The abandonment of the Grubbs Vocational College will result in a saving of \$100,000, now available to be spent for buildings, and an annual saving of | 62,300.00 |

5. The repeal of the laws creating the new normals will result in an initial saving of \$550,000 and an annual saving of	270,000.00	the Fish, Game and Oyster Commission will result in an annual saving of.....	25,525.00
6. The transfer of the work of the Industrial Accident Board, as recommended, will result in an annual saving of..	20,000.00	13. The elimination of the alphabetical list in the Highway Department will result in an annual saving of \$10,000, and the re-organization of that department, as recommended will result in an annual saving of \$20,000, aggregating the annual saving of.....	30,000.00
7. The abolishment of the Warehouse and Marketing Department and the transfer of the duties of such department to a bureau of markets and warehouses in the Department of Agriculture; the abandonment in the Department of Agriculture of institute work; the division of plant pathology, edible nuts, and livestock which is now being conducted at the Agricultural and Mechanical College, will result in an annual saving of	60,000.00	14. The passage of a law recommended to preserve the life of the Railroad Commission as a rate making body will save the people of Texas from five to ten million dollars annually in freight rates and the elimination of the pipe line expert will result in a direct annual saving to the State of	3,600.00
8. The transfer of the feed control from the Agricultural and Mechanical College to the Department of Agriculture will result in an annual saving of.....	20,000.00	15. The passage of a new depository law will result in an annual gain to the State of at least	150,000.00
9. The transfer of the foul brood work from the Agricultural and Mechanical College to the Department of Agriculture will result in an annual saving of..	5,000.00	16. The formation of the Purchasing and Managing Board to conduct an auditing system, to take over the work of the Purchasing Agent, State Expert Printer, Superintendent of Public Buildings and Grounds and Inspector of Masonry, to act as a board of control for all eleemosynary institutions will result in an annual saving of at least	250,000.00
10. Combining the positions of superintendent and storekeeper at the Confederate Home will result in an annual saving of	1,000.00	17. The consolidation of the Reclamation Department and the Board of Water Engineers will result in an annual saving of	16,275.00
11. The transfer of the Quarantine Service to the Federal Government will result in an immediate saving of \$210,000 and an annual saving of.....	30,000.00	18. The consolidation of the Pension Department with the Comptroller's Department will result in an annual saving of	6,000.00
12. The abolishment of the State Fire Rating Board and recommendations in regard to			

19. The abolishment of the Tax Commissioner's office, as recommended, will result in an annual saving of.....	4,544.00
20. The abolishment of the State Revenue Department as recommended will result in an annual saving of.....	13,650.00
21. Audit of the Department of State resulted in net gain to the State of	9,711.95
22. Audit of the books of the Superintendent of Public Buildings and Grounds resulted in a net gain to the State of	2,212.00
General Summary of Saving and Gain.	
Amount turned into State Treasury by committee audit	\$ 11,923.95
Amount saved by transfer of State quarantine to Federal control	210,000.00
Amount saved by repeal of appropriations for new normals	550,000.00
Amount saved by repeal of appropriations for Grubbs Vocational School.....	100,000.00
Total immediate saving...	\$871,923.95
Estimated annual saving by Board of Control operation	\$250,000.00
Estimated annual saving by depository law operation..	150,000.00
Estimated annual saving by department reform.....	598,894.00
Total estimated annual saving and gain.....	\$999,694.00

General Recommendations.

On January 25, 1918, the following resolution was adopted by the committee as a general recommendation to the Governor:

"Be it resolved that the present election law be so amended that no nomination be made of State officers except upon a majority vote and that the laws in conflict with this method of nomination be repealed; that proper statutes be enacted permitting a second primary in the event no candidate receives a majority in the first primary for the particular office; that this resolution be made a part of the general

recommendations made by this committee as a subject to be submitted by the Governor of this State for consideration at the next session of the Legislature."

One paragraph of the House resolution under which your committee has been laboring is as follows:

"When the entire work herein provided for shall have been completed by the Central Executive Committee and each of the subcommittees, the Central Executive Committee shall meet and formulate its general report to the House, such report to include its findings of fact, conclusions and recommendations with respect to each and all of the departments investigated by it, and by each subcommittee, and the same shall be accompanied by a complete record of all evidence taken by each subcommittee.

"In the event the House of Representatives shall be in session when such report is made, it shall be filed with the Speaker of the House, and in the event the House be not in session when such report may be formulated, the Central Executive Committee shall determine whether or not in its judgment the evidence warrants a Special Session of the Legislature for general purposes or for any special purpose, or a session of the House for impeachment purposes, and shall include its recommendations upon these subjects in its report, and in such event a copy of such report shall be filed with the Speaker of the House, and a copy shall, also, be filed with the Governor."

Pursuant to said resolution a joint session of the House and Senate committees on January 4, 1918, passed a resolution, which, among other things, contains the following:

"Now, therefore, be it resolved that the chairman of the Senate committee and the chairman of the House committee be directed to confer with the Governor of the State and lay before him such facts as have been determined by the several subcommittees, and now incorporated or to be incorporated in their report, to the end that the Governor may be in possession of these facts to enable him in determining the necessity of convening the Legislature; after stating to the Governor that it is the opinion of this committee that the findings to this time, if incorporated into the statutes, would bring about the elimination and consolidation of many departments and result in a saving of several hundred thousand dollars to the taxpayers of

this State, and that it is the judgment of this committee that the Legislature should be convened at as early a date as possible, after the filing of its report, and not later than February 10, 1918."

After the compiling of the reports of the subcommittees by the Central Executive Committee, it will be seen from said report submitted herewith that, if the recommendations of said committee are carried into effect, there will be saved to the State large sums of money as per recapitulation given above.

It is, therefore, the opinion of the Central Committee of the House and the Central Committee of the Senate, sitting in joint session, that the recommendations made to the respective branches of the Legislature are of sufficient importance to justify the Governor in immediately calling a Special Session of the Legislature. In accordance with said resolution we herewith file with you a copy of our report together with a copy of the reports of all

subcommittees and evidence taken by them.

Respectfully submitted,
Ed. Westbrook, Chairman.

J. M. Alderdice,
Geo. M. Hopkins,
C. R. Buchanan,
E. A. Decherd, Jr.
I. E. Clark,
C. B. Hudspeth,
O. S. Lattimore,
J. C. McNealus,
Lon A. Smith,

Senate Central Investigating Committee.

W. M. Fly, Chairman.
D. S. McMillin, Vice-Chairman.
F. O. Fuller,
W. D. Cope,
E. R. Bryan,
R. F. Spencer, Jr.
Jack Johnson,
Leonard Tillotson,
I. D. Fairchild,
C. F. Sentell,

Central Executive Committee of the House.

In Memory
of
Lieutenant Louis J. Jordan

Mr. Holaday offered the following resolution:

Whereas, On the 5th day of March, A. D. 1918, Lieutenant Louis J. Jordan, of Fredericksburg, Gillespie county, Texas, an officer in the United States army, serving his country in France, was killed in action against the enemy; and

Whereas, Louis J. Jordan was the first American officer from the State of Texas to give his life on the field of battle in defense of his country, our freedom and liberty; therefore, be it

Resolved, That we offer to his surviving parents, his brothers and sisters, our most sincere sympathy in their great loss; that a page of the House Journal be set aside and dedicated to his memory; and that a copy of this resolution, properly attested, be forwarded to his beloved relatives; and that when the House adjourns today it do so in honor of this deceased hero.

HOLADAY,
LANGE,
HAIDUSEK,
JOHNSON of Gillespie.

The resolution was read second time.

Mr. Holaday moved that the resolution be adopted by a rising vote.

The motion prevailed and the resolution was adopted unanimously.